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THE

LIFE AND ACTS

OF

JOHN WHITGIFT, D.D.

THE THIRD AND LAST LORD ARCHBISHOP OF CANTERBURY
IN THE REIGN OF QUEEN ELIZABETH.

The whole digested, compiled, and attested from Records, Registers, original Letters, and other authentic MSS. taken from the choicest Libraries and Collections of the Kingdom.

TOGETHER WITH

A LARGE APPENDIX OF THE SAID PAPERS.

IN FOUR BOOKS.

BY JOHN STRYPE, M. A.

VOL. III.

OXFORD,
AT THE CLARENDON PRESS.
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AN

APPENDIX

TO

THE LIFE AND ACTS

OF

JOHN WHITGIFT, D. D.

CONTAINING

Records, Letters, and other Original Writings, referred to in the foregoing History.

AN APPENDIX &c.

BOOK I.

Number I.

A charter of lands in Staynburn in the East Riding of Yorkshire; granted to the Abbot and Convent of St. Mary's in York, by John Fitz Adam de Whitgift.

SCIANT omnes, tam præsentes quàm futuri, quod ego Johan. fil. Adæ de Whitgift, dedi, concessi, reddidi, et hoc præsenti scripto meo confirmavi religiosis viris dominis meis, Johanni de Gilling, Abbati monasterii beatæ Mariæ Ebor. et ejusdem loci conventui, quinque tofta et quatuor bovatas terræ, cum omnibus suis pertinentiis in villa de Stainburne, quæ de feod. dictorum Abbatis et conventus, dominorum meorum, sine ullo retinemento michi et hæredibus meis. habend. et tenend. eisdem dominis Abbati et conventui, et successoribus suis in perpetuum, libere et quiete, benè et in pace cum—pastura et cum omnibus libertatibus et—proficuis, cum omnibus pertinentiis suis, ad predicta tofta et quatuor bovatas terræ infra villam de Staynburn; et extra, qualitercunque pertinentibus, ab omni servitio seculari, exactione et demanda, michi et heredibus meis pertinent. faciendo inde capitalibus dominis feod. servitia, inde debita et consueta. Et ego vero Johannes fil. Adæ predictus et heredes mei predicta quinque tofta, et quatuor bovatas terræ, cum omnibus suis pertinentiis, ut predictum est, predictis dominis, Abbati et conventui, et successoribus suis dominis meis, contra omnes gentes warrantizabimus, adquietabimus, et in perpetuum defendemus. In cujus rei testimonium presenti scri-

Chap. i. Chartularium Sanctæ Mariæ de Ebor. nuper penes me: nunc in Biblioth. D. Roberti comit. Oxon. et Mortim.

BOOK I.

pto sigillum meum apposui. His testibus, dominis Gilbert. de Culwen, Johan. de Haverington, Richardo de Cleter, Militibus; Roberto de Rampton, Johne. de Eglesfield, Roberto de Harrays, Waltero de Plumland, Thoma de Lowther, et aliis.

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Number II.

The Fellows of Pembroke hall to Grindal, Bishop of London; upon their election of Whitgift to be their Master; and the departure of Dr. Hutton from them.

Chap. ii. MS. de custod. Pembrochian.

DICI vix potest (amplissime Præsul) quantus luctus, quantum etiam gaudium, lectis literis tuis, animos nostros repente invaserunt. Et luctum equidem non mediocrem attulit, amantissimi in nos præfecti decessus. Quem enim propter egregiam doctrinam, summum in nos studium, vitæque sanctimoniam, charum et intimum semper habuerimus, eum ita nunc arctis ulnis amplectimur, ut nutricis instar, non sine summo mœrore et lachrymis, dimittamus. Atque certè, ni gravissima authoritas tua (quæ apud nos jure et debet et possit omnia) intercessisset, lautius et melius nobis consultum putaremus, priusquam e complexu abstrahi patiamur, ejus os et vultum appellare. Sed vide, quæso, quanta sit apud nos authoritas tua, quanta vicissim animorum nostrorum retributio, ut ex quo nos a Papisticâ fæce primus repurgaras, in clientelam tuam receperas, patrocinium tuum et defensionem experti sumus, in te uno consilium nostrum et spem omnem reposuerimus. Ægerrimè patimur eum a nobis divelli, cui enixè et libenter semper adhæsimus. Sed cum ita sors ferat, cedemus fato nostro, cedemus numini optimè providenti, cedemus Deo, qui omnia cooperatur in bonum iis, qui diligunt illum.

Et nisi ferè uno spiritu, muliebri more, lachrymas fundere et lætitia gestire videremur, in tanto luctu meritò lætari possimus, quod eum nobis custodem eligendum proponis, in quem nos precibus ad amplitudinem tuam frequenter

iremus, eum a nobis te impetraturum speres, quem nos libenter optamus: optas, quem vix sperare potuerimus.

Vehementer ergo nobis, nostrisque studiis gratulamur, Deoque præpotenti imprimis gratias agimus, quod non ita Ridleios stirpitus è nobis eradicaverit, ut unicam fibram Grindallum (quem honoris causa nominamus) unà etiam tollat. Hinc enim Huttonus nobis ortus, qui vires nostras non mediocriter auxit. Hinc tandem Whitgiftus, quem unum in optatis et habemus, et volumus maximè.

Age ergo (honorande Patrone) quod impetrare vis, illud, tabellis subscriptis, summo animorum nostrorum ardore impetrasti. Quod petis a nobis, in illud incumbas, et nos vicissim à dominatione tua petimus, quod tanto studio inchoasti, bonis avibus perficias. Vale. Pridie calend. Maii, anno 1567.

Number III.

The foundation of one Bible Clerk in Peter house, by Dr. Whitgift, and Mrs. Margaret Fulnetby, of Teversham, widow.

Chap. ii. E Registro Dom. Pe-trens. Cantabr.

OMNIBUS Christi fidelibus, ad quos hoc præsens scriptum pervenerit, Johannes Whitgifte, Theolog. Baccalaureus in Academia Cantabrigiensi; et Margareta Fulnetby de Teversham in comitat. Cantabrigiensi, vidua, et relicta Bartholomæi Fulnetby defuncti, salutem in Domino sempiternam.

Sciatis nos præfatos, Johannem et Margaretam, pro singulari affectu et amore quem habemus erga bonas literas, et cultum Dei, dedisse, et hoc præsenti scripto nostro confirmasse, pro nobis et hæredibus nostris, et utriusque nostrûm, dilectis nobis in Christo, magistro sive custodi domus Sancti Petri in Academia prædicta, et sociis sive scholaribus ejusdem domus, quandam annuitatem, sive annualem redditum quatuor marcarum bonæ et legalis monetæ Angliæ, exeuntem de manerio de Crulles, aliàs Curtles, in comitat. Essex. habend. percipiend. et gaudend. prædict. annuitatem, sive annualem redditum quatuor mar-

BOOK I.

carum præfatis magistro et sociis sive scholaribus in perpetuum; annuatim solvend. ad festum Sancti Michaelis Archangeli, infra domum sive collegium Sancti Petri prædict. Primâ solutione inde incipiente ad festum Sancti Michaelis Archangeli, quod erit anno Dom. 1572. Ea intentione scilicet, quod prædictus magister sive custos, et socii sive scholares domus prædictæ, ac eorum successores, exinde à festo Sancti Michaelis Archangeli, anno prædicto invenient, manutenebunt et sustentabunt, annuitate, sive annuali redditu prædict. unum scholarem, sive bibliotistam in domo Sancti Petri prædict. in perpetuum. In cujus rei testimonium huic præsenti scripto nostro sigilla nostra separatim apposuimus. Dat. 4to die Octobr. anno regni Elizabethæ 7mo.

Number IV.

Dr. Whitgift to Secretary Cecil; in vindication of himself from false reports, as not sufficiently qualified for the mastership of Trinity college.

Chap. ii. Paper Office, Bundl. Ecclesiast.

SO oft as I do remember your singular goodness towards me, Right Honorable, and earnest desire to do me good, I cannot but marvaillously lawd and praise my merciful God, and give most humble and harty thanks unto your Honour. For what, or who am I, that you should be so careful for me? Notwithstanding, Right Honourable, I do not so much rejoyce at your Honour his good will, as I in my self lament that the same should in any respect by misreports be diminished. It is not unknown unto me, what is of me reported unto your Honour, while you intend, on your mere and singular goodness, to place me in Trinity college. The which how true they be God shal judge at that day, when al secrets shal be reveled. In the mean time, what harme they may do me, and what grief they have fixed in my hart, God knows, and I know.

For God's sake, Right Honourable, let it be judged what I am by my doings, and not by the report of those, who

do not to me, as they would themselves be done unto. As touching my *not-conformitie*, (which is one thing layd against me) I dare be judged by my Lord of Canterbury his Grace, your Honour, or my Lord of London, or Master Dean of York; who knoweth more of my mind in this matter, than any man doth beside. I never encouraged any to withstand the Queen's Majesties laws in that behalf: but I both have, and do by al means I may, seek to persuade men to conform themselves. For it grieveth me, that any man should cease from preaching, for the use of these things, being of themselves indifferent.

As for my *age* and *discretion*, I must commit that to your Honour his judgment. God forbid, I should ambitiously seek that that I am not meet for. If it shal please God, by your Honour his means, to cal me unto that function, I trust, he wil also give me the spirit of wisdom and discretion, to satisfy the same.

That preferment that I have, whatsoever it is, I have it by your Honour his means. And therefore I owe my self wholly unto you. But it is not so much as it is reported. The mastership of Pembroke hal is but 4*l*. the year, and 18*d*. in the week for commons. My benefice is one of the least in al the dioces. My lecture is the whole stay of my lyving. My debts are more than I shal ever, being in the state I am, be able to discharge. And extreme necessity, not any prodigalitie, hath brought me into them. I beseech your Honour, pardon me for being so bold to trouble you. God hath moved you to love me. God hath hitherto by you provided for me: what it shall please God 6
to put in your mind to do for me, I beseech you, let no reports from doing the same dissuade you. I trust hitherto I have not so behaved my self, that your Honour doth repent you of any thing done for me. And I trust the day shal never come, wherein your Honour shal have cause to say, I would I had not done this for him.

I beseech God preserve your Honour, and prosper you, and so move you for me, as shal be most to his honour,

BOOK I. and to the profit of his Church. From Cambridge, the 17th of June, 1567.

Your Honour's most humbly for ever,
Jhon Whytgyfte.

Number V.

The Vice-Chancellor, and other Masters of the houses in Cambridge, to the High Chancellor of the said University, Sir William Cecil: to obtain the Queen's dispensation with the King's Readers in the vacant quarter.

Chap. iii. MSS. Cecilian. penes me.

AS it hath bene wel provided for (Right Honorable) by the grave and wise of our University, that not onlie there should be continual lectures, and dayly frequenting of the same, as wel for the increase of studie and learning, as also for the honour and dignitie of the said Universitie: but also there should be intermission and a time of breathing: that mens wittes, being by such recreation refreshed, might the more earnestlie and gredily desiere the former studies: so it hath been observed with us, as a necessarie helpe to learning from tyme to tyme. And bicause it hath bene of late provided and excepted by particular statutes, that the King's Readers should, notwithstanding the former order, kepe their ordinary days of readinge in the vacant quarter betwixt Midsomer and Michaelmas: may it therefore please your Honour (considering as wel the auditors absence that quarter, as also the contagiousness of the same tyme, and daungerousnes both for the readers, and also for the hearers: so that there cannot be meeting for the most part, without great perill of sickness, and other inconveniences) to sollicite the Quene's Majestie herein. That it wolde please her Highness to send her letters of *dispensation* to the Master and Fellows of Trinity college; that the said Readers may be, by her Highnes authoritie discharged from the said Master and Fellowes, and their statute of their reading in the forenamed quar-

ter onlie. Thus are we bold in al our suits to trouble your Honour, trusting you wil accept this our good meaning and purpose. From Cambridge, the xiiith of May, anno 1568. BOOK I.

Your Honour's to commande,

Ri. Longeworth,
Andreas Perne,
Edward Hawford,
William Chaderton.

Number VI. 7

Minutes of the Queen's dispensation, drawn up by order and direction of the Chancellor of the University; for ceasing the reading of lectures there in the Midsummer quarter.

To the Master and Fellows of Trinity college in Cambridge.

TRUSTY and wel-beloved, wee grete you well. Where the readers of certain lectures within that our University of the foundation and institution of our late dear Father of famous memory King Henry VIII. commonly called *The King's Reders,* have heretofore of discretion forborn continually to use their redings in the vacation time, betwixt the feasts of S. John Baptist and S. Michell, partly for lack of sufficient auditors, and partly for avoiding contagions, which commonly happen at that time of the yere: because the statutes of that college be, (as we are informed) that the same reders shuld, without any intermission, continue their redings in that whole vacation: for the considerations abovementioned, we, being moved to give dispensation with the statutes of that house, do wel allow, that in the same vacation, (at such times as you shal, for any such respects, find it convenient to have the same redings cease) licence and liberty be from yere to yere herafter given to the said readers, to forbear and cease from their said ordinary redings, in the said vacation time betwixt Midsomer and Michelmas. And in this behalf we Chap. iii. Ubi supra.

BOOK I. do dispense both with you and the ordinances and statuts of that college: any article or thing conteyned in the said statuts to the contrary notwithstanding. And these our letters, &c.

Number VII.

The Master and Fellows of Trinity college in Cambridge, to Sir William Cecil, Kt. declaring the inconveniences to come to the college, by the election of scholars from Westminster school.

Chap. iii. Epist. Academic. ACCEPIMUS tuas literas, honoratissime Vir, quibus petis, ut de intromittendo in collegium nostrum tertio quodam Westmonasteriensi scholastico, ad duos illos in superiori electione acceptos, rationem habeamus. Est gravis sanè tua semper apud nos et authoritas et voluntas, nec quicquam animis nostris jucundius accidere solet, quàm cum facultas utrique satisfaciendi commoda et opportuna conceditur. Ea autem quandoquidem hoc tempore variis et necessariis de causis nobis non suppetit, tuamque insuper æquissimam ad omnia mentem, et in bonas literas constantem amorem sæpe sumus experti, præterquam quòd respondere tuis literis officii nostri esse ducimus, novas etiam petitiones, et eas supplices, totius nomine collegii, in quo versamur, afferre non dubitamus.

Ac primum quod ad tertium locum attinet, in quem unum designari et admitti cupis, formâ profectò literarum patentium, quæ ea de re Westmonasteriensibus concessæ erant; aut omnino verba ipsa nullam ejusmodi necessitatem nobis in electione Scholarium imponunt: utcunque enim illi commoda quæque inde sibi arripiunt, nobis certè duabus cautionibus, nec dubiis, nec obscuris, ibidem provisum est, *si tot idonei reperiantur*, aut, *si tot loca vacare contigerit*, superiore verò electione planè neminem in tertium locum cooptare potuimus; quia, alio eundem occupante, non patebat cuique aditus. Accedit etiam, quòd licet tot loca vacua fuissent, et ea vel sexcenti ad præfinitum tempus petiissent electionis, nos tamen, ut hac libe-

8 ralitate in eos uteremur, nullum superioris cujusquam præ-

fecti exemplum, ab eo statuto primum sancito, invitavit; ne Doctoris quidem Billi: qui ut illa electio institueretur primus suasisse, et summa contentione egisse dicitur. Cujus contrà quoque non deest exemplum, uno solo quandoque quem in nostrum cœtum inde ascisceret, contenti.

Atque hæc nostra est, quo minus tertium aliquem admitteremus justa defensio. Cui opportunum videtur querelam gravissimi etiam incommodi, quod ex tota illa electione jamdiu accepimus, necessariam adjungere. Et non nisi magno quidem cum dolore commemorare possumus, quàm ipsa optimarum artium studiis apud nos inimica fuerit, et quàm multorum progressioni spem omnem pænè præciderit. Sunt enim in collegio nostro, et fuerunt complures, optima indole, summa diligentia, laudata doctrina adolescentes, quorum alii per tres annos hic commorantes, alii qui ad gradum Baccalaureatus initiarentur, vel relinquere Academiam, premente eos inopia, coacti fuerint, vel ulterius in eadem degentes languescunt animis, et studia remittunt, desperatione præmiorum. Quam nos certe bonarum literarum pestem verè esse putamus: et eo magis lætalem, quod iidem illi adolescentes alios è schola grammatica recens egressos, nondum primis academicæ disciplinæ haustis incunabilis, nullo judicio, nulla, ne mediocri quidem, scientia præditos, sibi præponi vident. Atqui optandum sanè esset, ut, quemadmodum in stadio multis currentibus, certis tamen quibusdam, qui reliquos pedum velocitate superant, victoriæ insignia, seu præmia tribuuntur; ita eorum, qui in hoc literario cursu procul cæteros à tergo reliquerint, justa foret et debita remuneratio. Sed ejus facultas vel cupientibus nobis, hac externorum, et planè indignorum, introductione, eripitur. Quod et perinde etiam usu venit in eo, cujus statutorum nostrorum præscripto valdè soliciti esse debemus, ut ex alumnis nostri collegii eos potissimum, cæteris paribus, deligamus, quos ex illis locis, ubi nobis prædia et possessiones sunt, profectos esse constiterit. Eorum enim nonnullis, qui et eximiæ spei, et non contemnendæ doctrinæ sunt, et summa egestate laborant, nullum stipendium, quo subleventur, à collegio suppeditatum est, quandoquidem in alios parum idoneos erogare coactum, fontem

BOOK I.

ipsum liberalitatis, quem ad istos promanare æquum erat, exhaustum.

Ex quo duntaxat evenit, ut cum ejusdem esset collegii dignitatis doctissimorum, quoad licet, et probatissimorum multitudine abundare, eorum bonam partem inviti dimittamus, et ornamenta illa, quibus illustretur, eidem non possimus pro arbitratu adjungere. Quod nostro quidem acerbissimo cum dolore recordamur, qui experientia edocti, plus etiam sensimus, quàm alii queunt in hac tota re causaque suspicari. Nos vero et ad istum dolorem alia molestia alieni temporis perturbat, quod quo tempore abesse Academia nobis, et præcipuè præfecto valde incommodum est, in ipsis comitiis interesse electioni apud Westmonasterium semper aliqui tenemur.

Quare eo res redit ad extremum, ut hoc tanto detrimento jamdiù affecti, et majorem imposterum verentes bonarum literarum imminutionem, supplices istud ab honore tuo et obnixè petamus, ut pro solito in nos patrocinio tuo et singulari benevolentia, qua collegium totum complexus es, causam nostram apud serenissimam regiam Majestatem agas, ab eaque precibus, si fieri potest, et gratia impetres, ut hoc prorsus externo onere, quo premimur, nos dignetur de reliquo liberare. Quod si feceris, et perpetuo quodam instituto tuo ad extremum usque de studiosis benè meritus esse videberis, et nos seorsim multis nominibus tibi anteà devinctos, astringes etiam, si modo fieri queat, arctiùs. Deus te nobis, reique publicæ in summo splendore quàm diutissimè conservet incolumem. Cantabrigiæ 3 calend. Julii, 1569. E collegio Sanctæ et Individuæ Trinitatis.

Honori tuæ deditissimi,

Joannes Whitgift, Nicolaus Browne,
Nicolaus Shepherdus, Edmundus Chapman,
Thomas Cartwright, Joannes Cooke,
Gulielmus Bingham, Isaac Barro.
Robertus West,

Clarissimo et Honoratissimo Viro D. Gulielmo Cecilio, Regiæ Majestatis Secretario et Patrono nostro singulari.

[Number VII.]

The humble request of Dr. Goodman, Dean of Westminster, to the Lord Treasurer; to procure the ratification of certain statutes made for the collegiate church of Westminster; and the grammar school there.

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WHEREAS in May last I did exhibit an humble petition to her Majesty, that it might please her Highnes, for the better government of this her Majesties colledg, to confirm the statutes for the government therof, drawn and devised by Dr. Byll of blessed memory, late her Majesties High Almner; it pleased her Highnes most graciously to accept thereof: and to will that her Majesties learned counsel might peruse the same, and make them ready to the signature: as D. Cæsar, Master of Request, and the mover of the said petition, hath signified under his hand. I did impart the same unto my Lord of Canterbury: and he likewise hath perused the said book of statutes. I did in like wise signify my meaning to proceed herein to my brethren, the Prebendaryes. Wherof some of them do seem better to like of the present government; which is partly according to these statutes, and partly ordered by decrees and discretion. But I did hope, that statutes confirmed, to governe and to be governed by, is a more certeine rule and government, and more beneficial to posterity. Chap. iii. MSS. Burghlian. pen. me.

Whereas, as it pleased her Highnes to appoint a statute for the double election of Scholars in the time of Dr. Byll, the Dean; which was then begon, and since always continued; there is in the same statute provided, that of the scholars of her Majesties school at Westminster there should be three at the least every year chosen to each University; so it was, that my Lord's Grace of Canterbury, being then Master of Trinity colledg, thought that certain number to be too burthensome to Trinity colledg; and therefore requested that ther should be of necessity but two chosen every year to each Universitie, and three every third year. Whereunto, upon the request and persuasion of Byshop

BOOK I.

Grindal, then Byshop of London, to whom it pleased your Honor to referre the ordering of this statute, it was condescended: and so ever since it hath been most commonly used. But I pray, that the same statute may remain in force, as touching the number, for the better encouragement of her Majesties scholars; notwithstanding the day of the election be altered: which is the same day of the Commencement in Cambridge. And so most humbly desireth your Honor's advice and ayde.

Your Honour's ever most bound,
Gabriel Goodman.

Number VIII.

Dr. Whitgift to Sir William Cecil, High Chancellor of the University of Cambridge: shewing him some of Mr. Cartwright's tenets; and the drawing up new statutes for the University.

Chap. iv. PaperOffice.

I HAVE received your letters, Right Honorable, and have signified unto the others, which also writ unto your Honour, your contentation with our doings touching Mr. Cartwright. I think your Honour doth not fully understand Mr. Cartwright's opinions. And therefore I have here set down so many of them as he himself hath uttered to me in private conference: the which he hath also openly taught. I. That there ought not to be in the Church of Christ either Archbishops, Archdeacons, Deans, Chancellors, or any other, whereof mention is not expressly made in the Scriptures. II. That the office of the Bishop and Deacon, as they be now in the Church of England, is not allowable. III. That there ought to be an equality of all Ministers, and every one to be chief in his own cure. IV. That Ministers ought to be chosen by the people, as they were in the Apostles' time. V. That none ought to be a Minister, unless he have a cure. VI. That a man should not preach out of his own cure. VII. That the order of calling and making Ministers, now used in this Church of England, is extraordinary,

and to be altered. Divers others depend upon these, (as your Honour may easily conjecture) which would breed a meer confusion, if they should take place.

I told your Honour at my last being with you, of certain things to be reformed in the statutes and orders of this University; and also of some things necessary to be added, for the better government of the same. Your Honour willed me to confer with some others: and to draw a draught, that your Honour might see them, Mr. Vicechancellor, Dr. Perne, Dr. Hawford, Dr. Harvey, Dr. Ithel and I, have laboured therin, and have almost finished the same. Because your Honour is troubled with other busines, so that it would be too much for your self to peruse them, if it would please you to write your letters to my Lord of Canterbury his Grace, or some other whom you think best to take that pains, and make report to your Honour of them, we trust they wil be thought very necessary and profitable for the state of the University, and good government of the same.

My Lord Zouch is in good health, thanks be unto God, and shal not lack my carefulnes and diligence. For so I am bound to your Honour, if it were in far greater matters. He continueth in his wel-doing: and so, I trust, wil do. Thus with my harty prayers unto God, for the preservation of your Honour, and all yours, (which is the only recompence I can make for your goodnes towards me) I leave off from further troubling your Honour at this time. From Trinity college in Cambridg, the 19th of August, 1570.

To your Honour most bound,
Jhon Whitgyfte.

Number IX.

The proceedings of the Heads of the University with Mr. Thomas Cartwright, B. D. Lady Margaret Professor; for his readings.

Chap. iv. E Regist. Academ. Cantabr.

THE 11th day of Decemb. 1570, before Mr. Dr. Whit-

BOOK I.

gifte, Vicechancellor, with assistance of Mr. Doctors Perne, Hawford, Kelke, Meye, Chaderton, Doctors of Divinity, and Harvey, Ithel, and Bynge, Doctors of Law, in the great chamber within the Master's lodginge within Trinitie colledge.

At which day and place appeared Mr. Tho. Cartwhryte, Reader of the Divinity lecture, founded by the Lady Margaret, &c. And then and there Mr. Vicechancellor did charge the said Mr. Cartwhryte with certain articles or propositions of doctrine contrarie to religion, receyved and allowed by publicke authoritie in this realme, taught openlie by him in his lecture, and otherwhere; and by him also put in wrytynge, with subscription of his hande; and divulgate by hym, as matter that he wil stand to: and that hereof he hath been before tyme noted by the more part of Doctors of th' Universitie, before Mr. Dr. Meye late Vicechancellor: and hath been admonyshed divers tymes by hym, to revoke the same: and, upon his refusal, hath been
11 punished by substraction of his stipend. And therefore the said Mr. Dr. Whitgifte, now Vicechancellor, required his absolute answer, whether he did mynde to teach his auditors otherways, revoking that he hath before tawghte; or wil stil abyde in the mayntenance of the same.

Whereunto the said Mr. Cartwhryte did answere and confess, that after divers communications had with the said Mr. Dr. Meye, late Vicechancellor, and divers charges wherewith he burdened him with his doctrine tawght in hys lecture, contrarie to the religion here receyved and allowed, at length he said, he delyvered unto the said then Vicechancellor, thoes articles in wrytyng, subscribed with his own hande, which Mr. Dr. Whitgifte doth nowe leye unto hym, upon conditions, *viz.* he woulde know, who shoulde be his adversaries, who shoulde be his judges, and last, that thys thyng shoulde not be prejudicial to such order as Mr. Secretary had taken with hym.

Whereupon Mr. Vicechancellor, omyttinge the private communication betwixte Mr. Dr. Meye, and the said Mr. Cartwright, seynge this doctryne hath been by hym tawght,

demaunded of hym, whether thoes articles, whereunto his hande is put, be his owne; and whether he myndeth to defend or revoke theim. Hereunto the said Cartwryght answered, that th' advantage saved unto hym, of his protestation in delyverynge of theim, (as he hath before alledged) confessed, that thoes articles, now shewed unto him, be his own, and subscribed with his own hande; and that he hath openlie tawght, and is fully determined to mayntain and defend them, as trewth.

After this answere, Mr. Vicechancellor required hym better to consider with hymself, and to depart for a space; and at hys return Mr. Vicechancellor perceavynge, that no admonition woulde helpe, but that he did persiste styl in the same mynde, with the consent of al the abovenamed Doctors, did pronounce hym the said Mr. Cartwright to be removed from his said lecture: and by his final decree or sentence, did then and there remove hym; and declare the said lecture to be voyed: and that he mynded, according to the foundation thereof, to proceed to the election of a new Reader. And furder, then and there the said Vicechancellor dyd, by vertue of his office, inhibite the said Mr. Cartwright from preaching within th'Universitie, and the jurisdiction of the same.

The trewe copie of the above mentioned articles or propositions doth hereafter followe worde by worde, as is expressed in the original, subscribed with the hande of the said Mr. Cartwright, and remayning with the said Mr. Vicechancellor.

I. Archiepiscoporum, et Archidiaconorum nomina, simul cum muneribus et officiis suis, sunt abolenda.

II. Legitimorum in Ecclesia Ministrorum nomina, qualia sunt Episcoporum et Diaconorum, separata a suis muneribus, in verbo Dei descriptis, simpliciter sunt improbanda, et ad institutionem apostolicam revocanda. Ut Episcopus in verbo et precibus, Diaconus in pauperibus curandis versetur.

III. Episcoporum Cancellariis, aut Archidiaconorum Offi-

BOOK I.

cialibus, &c. regimen Ecclesiæ non est committendum; sed ad idoneum Ministrum et Presbyterum ejusdem Ecclesiæ deferendum.

IV. Non oportet Ministrum esse vagum et liberum; sed quisque debet certo cuidam gregi addici.

V. Nemo debet Ministerium, tanquam candidatus, petere.

VI. Episcoporum tantum authoritate et potestate Ministri non sunt creandi, multo minus in Musæo, aut loco quopiam clancularío. Sed ab Ecclesia electio fieri debet.

Hisce reformandis, quisque pro sua vocatione studere debet. Vocationem autem intelligo, ut magistratus authoritate, Minister verbo, omnes precibus, promoveant.

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[Number IX.]

A faculty granted by the University to Dr. Whitgift, to preach throughout the kingdom; constituting him one of the University Preachers.

Chap. v. E Registro Acad. Cantab. fol. 277.

WILLIELMUS CECILL, &c. Universitatis Cantabrigiensis Cancellarius, Magistri et Scholares ejusdem; Omnibus Christi fidelibus, visuris vel audituris, salutem in Domino sempiternam. Cum nos, nuper ordinem reverendi Archiepiscopi, et Episcoporum hujus regni Angliæ secuti, ut evitaretur (quantum fieri potest) omnis opinionum in doctrina contentio, omnes illas facultates prædicandi ante diem tertium Augusti proximè elapsum, a nobis concessas, revocaverimus; easdem tamen restituturi illis, qui ad hoc munus digni judicarentur, et qui manuum suarum subscriptione testificarentur se assentire tam omnibus et singulis illis Articulis Religionis, de quibus convenit inter Archiepiscopos et Episcopos utriusque provinciæ, et Clerum universum hujus regni Angliæ in Synodo London. anno 1562. quàm aliis omnibus et singulis Ordinationibus et Constitutionibus præscriptis per prædict. Archiepiscopos et Episcopos subscribendis ab omnibus, concionandi auctoritatem obtenturis et consecuturis. Cumque Johannes Whitgifte, S.T.P. ante-

hac, *viz.* 10 Jun. anno 1566, auctoritatem prædicandi per totum regnum Angliæ et Hiberniæ sigillo nostræ Universitatis communi communitam obtinuerit, quam nunc manibus nostris tradidit cancellandum: Nos eundem Johannem Whitgifte, qui jam supradictis Articulis, cæterisque præmissis consenserit et subscripserit, ob modestiam, gravitatem, honestatem vitæ, et consentientem doctrinam, ad munus prædicandi, quod prius meruerat, restituimus, atque harum literarum nostrarum testimonio, sigillo nostræ Universitatis consignato, unum ex prædicatoribus nostræ Academiæ juxta indulta regiæ Majestatis nobis concessa, ac auctoritate Parliamenti hujus regni corroborata, assignamus et constituimus, ad beneplacitum nostrum duraturum. Dat. Cantabr. Sept. 17. anno 1571.

Number X.

The judgment of that reverend Father, Jewel, sometime Bishop of Sarum, on this assertion, (styled by him in the margin of his paper, Novitiorum Assertio,) Archiepiscoporum, et Archidiaconorum nomina, simul cum muneribus et officiis suis, sunt abolenda.

The first reason.

GOD so loved the world, that he left a perfect pattern orderly, &c. Ephes. iv. But there is named neither Pope, nor Archbishop, nor Archdeacon. Chap. vi. Whitgift's Def. p. 427.

The answer of the Bishop of Salisbury.

How know you, that the fourth chapter *ad Ephes.* is a perfect pattern of al ecclesiastical government? We have now neither Apostles, nor Evangelists, nor Prophets. And yet are they the chief in that pattern. Neither have we there either Bishop or Presbyter, or Diaconus, or Catechista, or Lector. And yet are these necessary parts in ecclesiastical government. Therefore that pattern is not per-

BOOK I.

fect to hold for ever. Neither were there then any public churches, or pulpits, or schools, or universities, &c. S. Paul nameth neither Pope nor Archbishop I graunt. And 13 the Church is not governed by names, but by offices. Every Bishop then was called *Papa.* And Anacletus, that was next after Peter, (if there be any weight in *his* words) nameth *Archbishops.*

The second reason.

The Synagogue of the Jews was a figure of the Church of Christ. And God to the perfection of that Church omitted nothing.

The answer of the Bishop.

I see not what you would conclude. Perhaps you wil say, they had not the names of Pope or Archbishop. So had they not this name *Episcopus* in al Moses law. Yet were not al Priests of like aunciencie in government. They had other names that were equivalent with Archbishops; as *Principes Synagogæ; Principes Sanctuarii; Principes familiarum Leviticarum; Principes familiarum Sacerdotalium; Principes Sacerdotum; Principes domus Dei: Pontifex; Summus Pontifex: Summus Sacerdos,* &c. Therefore this negative reason is but weak. Again, wheras it is said, that to the perfection of the Synagogue there wanted nothing, it may be answered, that to the perfection therof there wanted many things, as it is known and confessed. And as the Synagogue had not the names of Pope and Archbishop, so had it not the name of Apostle or Evangelist, &c.

The third reason.

Where the substance of any thing is most perfect, there the accidents be most perfect. But the substance of true religion was most perfect in the primitive Church. And yet there was then no Archbishop, *Ergo.*

The answer of the Bishop.

First, This maxime is not proved. For it may wel be doubted, whether the most perfect substance hath ever-

more most perfect accidents. And again, the substance of religion is the same now, as it was then. The difference, if there be any, standeth in accidents, not in substance. Therefore this allegation of substance and accident was not needful. In the primitive Church God raised up Apostles and Prophets, and gave them power extraordinary: as the gift of tongues, the gift of healing, the gift of government, &c. In place wherof he hath given now Universities, Schools, Bishops, Archbishops, &c. But you say, there was then no Archbishop. So may you say, that before King Saul there was no King in Israel; so may you say, that before of late times there was neither Duke nor Earl in England; so may you say, that in the primitive Church there was neither Dean, nor Person, nor Prebendary. And yet now, both in ecclesiastical and civil government, al these are thought necessary.

Last of al, where you say, there was no Archbishop in the primitive Church; it is written by many, that S. Paul made Titus Archbishop of Creta. Erasmus saith, *Paulus Titum Cretæ consecravit.* And Lyra likewise saith, *Paulus instituit Titum Archiepiscopum Cretensium.* If these authorities like you not, Chrysostom saith, *Paulus Tito multorum Episcoporum judicium commisit.* Now having the government of many Bishops, what may we cal him but an Archbishop?

Erasm. in Arg. Epist. ad tit.

Chrys. i. cap. tit.

The fourth reason.

The ecclesiastical and civil government may not be confounded, or be together in one person. But to be a chief or a ruler, is a civil power, *Ergo*, it cannot be exercised by any ecclesiastical person.

The answer of the Bishop. 14

Both these governments were confounded in Moses. Therefore they may be confounded. And the Priests of Israel had the judgment and government of the people. And S. Augustin was wearied with hearing and determining of causes, as it appeareth by Possidonius. And where

BOOK I.

you say, to be a chief or a ruler is a civil government; nay, in ecclesiastical causes, it is an ecclesiastical government; and not civil. And these differences of government may not so unadvisedly be confounded. This is the key of ecclesiastical correction: and belongeth only to the ecclesiastical officer; and to none other. Hereof S. Paul saith, *Seniorem ne corripueris, nisi sub*, &c. *Tradidi illum Satanæ*, &c. This jurisdiction is not civil, but ecclesiastical. And therefore may be exercised by any ecclesiastical person.

The Bishop of Sarum concludes; I beseech you to take these sudden answers in good part. As for these reasons in my judgment, they are not made to build up; and they are too weak to pull down.

Stultitia nata est in corde pueri, et virga disciplinæ fugabit illam. Prov. xxii. It is but wantonnes; correction wil help it.

Number XI.

The Vice-Chancellor and Heads of the University of Cambridge, to the Lord Burghley, their High Chancellor; giving an account of the reason of their expelling Mr. Chark, Fellow of Peter-house, for his sermon at St. Mary's.

Chap. vii. Epist. Academ. pen. me.

OUR duties in most humble maner to your Honour remembred. Your Lordship's letters written in behalf of Mr. Chark, have made us al not a little perplexed: partly for the boldnes of him; who, for so notorious a fault, and manifest breach of statute, would attempt to procure your Lordship's favour; but most of al, for that we are hereby brought in some doubt of your Lordship's good liking of our procedings in that case. Wherof to render a just account, and that your Lordship may thereby the better judge what lenity hath been used on our parts towards the said Chark, contrary to his report, (as it seemeth) may it please your Lordship to be advertised of the whole matter from the beginning.

First, omitting the great expectation of many, long before his sermon, raised (as may probably be thought) by some speech given out by him concerning those things, wherof he would entreat; leaving also his singular confidence, used in the whole action, and utterance of his sermon; even at that time, when he was called before us, besides the obstinate defending of his errors, he spared not in presence, to overthwart divers of the Heads, in very unseemly maner, and with taunting words: nevertheless bearing with his want of discretion beyond his deserts, and seeking to allure him by gentle persuasions, we thought good, he should severally be communed with by three or four of our company. After which conference, tho' they had little prevailed with him, yet that he should not think himself too straitly dealt with, we graunted him more than seven weeks space, to consider thorowly of his grounds, and after good advisement to yield his answer upon the same: giving him further to understand, how we could do none otherwise, than the statute required, if he should persist in his conceived opinions.

At the time appointed we found him nothing altered: 15
howbeit stil wishing his good conformity, and meaning rather to reduce him charitably, than suddenly to cut him off, we offered, that if he would but only promise, upon better deliberation, to revoke his assertions, he should be respected for the performance therof til after Easter. Which, for that before us al, he utterly refused to do, it was concluded with one consent, that he should incurr the paine of the statute, that is, to loose both his college, and also the University.

Now if this punishment had been enjoyned him only by our arbitrement, and not by statute, yet his demerits being such as we have declared, and he cannot deny, he could not justly have complained of overmuch severity. But seeing we have done nothing of any private consideration in this case; but our sentence hath been wholly directed by her Majesties statutes delivered unto us, as a rule to

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guide us, and wherewith to dispense is utterly forbidden us; we much muse what colour of defence he can seem to pretend. And surely, how necessary it is, that we have such statutes; and namely, that one concerning *preachers*, [which statute was sent enclosed] the malice of these times doth easily shew. For since Chark hath broached these untimely contentions, others have ventured to continue the same. Wherby the minds of some are so incensed, that in many colleges they study and devise only, how to molest and disquiet their governours. Their drift, as it is wel known, being nothing else but to procure to themselves a licentious liberty. Wherin if they may find favour through their importune suits, our state is most miserable of al others. What poison lieth hid in popularity, cannot be unknown to your singular wisdom. Our labours and travails in suppressing the same, must needs be joyned with occasion of great envy: which we shal never be able to resist, unless we be supported by your Lordship's authority, and others that are placed in the chiefest rooms. Especially, when the difference consisteth in this; whether we shal be born with for executing our laws, or others by indulgency encouraged to break the same.

And yet for Chark we have further to report, that after the delivery of your Lordship's letters, being again demanded, whether he would yet promise to retract his former doctrines, he would in no wise yield thereunto; but made the like refusal as before; adding, that he thought your Lordship's meaning was, not to have him recant. Wherein, as your Lordship may wel perceive his great presumption, so did he nothing deceive the expectation of some of us; who have noted him in the like haughty stomac, ever sithence we first knew him.

Thus having dissembled nothing, but plainly laid forth the cause, as it is, we are most humbly to crave your Lordship's favourable assistance, for the repressing of this, and the like enormities: wherewith we are so greatly incumbred at this present, that of force we should faint, were we

not sustained with the only hope of your Lordship his good acceptation and countenance of our dutiful travailes in that behalf. Even so praying the Almighty long to preserve your Honour, to our great comfort, and the wealth of this State, we humbly take our leaves. From Cambridge, the 2d day of March, 1572.

Your Lordship's ever most humble at commaundment,

Thomas Byng, Vicechanc.
Andrew Perne,
Edward Hawford,
Roger Kelk,
John Mey,
Jhon Whitgyfte,
William Chaderton,
Henry Harvey,
Thomas Ithel,
John Caius,
Nicholas Shepperd.

Number XII.

16

The contents of a sermon, preached at St. Mary's in Cambridge, by one Millayn, Fellow of Christ's college: against the ministry of the Church of England.

FIRST, That ignorant Ministers were no Ministers, because they were not chosen by God. For they which were chosen by God, them God had always endued with understanding sufficient. But in those were found no such sufficiency. Therefore they were no Ministers. Chap. viii. Epist. Academ. pen. me.

Secondly, That other Ministers, which were both sufficient to answer their charge, and also ready and willing to take upon them the charge of the ministry, were partly rejected from their function by the Clergy; partly not called therunto. It is not lawful to admit him to the ministry that cannot preach. And therefore there is invented a new ministry, namely, a *reading* ministry.

Thirdly, That the Clergy of England do not only not advance, and set forward the edifying of the Church; but as much as lyeth in them, (and this point he did exaggerate mervaillously) they do deface, hinder and pul down the same, in maintaining both advoultrye and idolatry. First, *advoultrye* was divers ways boulstred, contrary to God's

BOOK I.

word, by the Pope's law, called *the Canon Law*. Considering, that by the canon law, if a man or woman be never so much suspected of advoultry, if the party bring forth twelve to swear, that they think he hath not committed that crime, he is by and by cleared: wherby many advoultries are boulstred.

A Minister, not being rightly called by the congregation, is no Minister.

He that is negligent, and maintaineth *officials*, is no Minister; and so ought of the people to be accounted.

Again, they maintain *idolatry*, in allowing and defending holydays of saints, and fasting on the evens.

Fourthly, That the common sort of the Clergy, which, altho' they had learning, were either negligent in teaching, or preaching, or dissolute in their lives, were no Preachers, nor Ministers before God. And so he persuaded the people to take them: urging also an earnest and effectual reason therefore; *viz.* that they could shew no proof of their preaching: chalenging any of them out, to shew what one soul they had won by their preaching: affirming, that twelve diligent men would do more good in al England, than al the preachers that now be.

Fifthly, That our calling of the Ministers was not lawful, because they were not called to any ordinary function, nor to any certain place of the ministry. But were made (as he said some of them made this excuse) Pastors of England, not of any private or certain place: which, he said, was clean prepostrously don. And that rather a Pastor of England might make a Bishop of Lincoln, than the Bishop of Lincoln might make a Minister of England.

The Prince admitting a Bishop, called him to an ordinary function. *What*, said I, *to a function?* He stood very much upon that point, to persuade the people, that there was no Minister now: and that they ought to look to the matter, it being so weighty, and their souls lying upon it.

Number XIII.

A privilege of the University of Cambridge: that all members thereof be tried there, and in no other court, for debts, accounts, misdemeanors, &c. 17

Tenor privilegiorum.

ELIZABETHA Dei gratia, &c. omnibus, &c. Nos pio et quieto studiosorum voto, et tranquillitati in hac parte consulere ac providere volentes, ac gratiam facere speciale, dedimus et concessimus, ac ex certa scientia, et mero motu nostris, per presentes pro nobis, heredibus, et successoribus nostris, damus et concedimus prefato Cancellario, Magistris, et Scholaribus, et successoribus suis imperpetuum: Quod ipsi et eorum loca tenentes, pro tempore existent. coram seipsis habeant cognitionem omnium et omnimodorum placitorum personalium, tum debitorum, compotorum, et aliorum quorundam contractuum, et injuriarum, quàm transgressionum contra pacem, et misprissionum quarumcunque (ut predictum est) infra villam predict. et suburbia ejusdem initorum et factorum, sive aliquo tempore imposterum faciend. sive ineund. mahemio et felonio duntaxat except. Ubi et quandocunque aliquis Magister vel Scholaris, vel serviens Scholaris, aut communis Minister dictæ Universitatis unius partis fuerit. Et omnia et singula humoi. placita et transgressiones prædict. Cancellar. et Scholares et eorum loca tenentes, et successores sui audiant, teneant, et finaliter determinent, ubicunque infra villam et suburbia ejusd. ville placuerit, et inde executionem faciant, secundum leges et consuetudines suas antehac usitatas.

Chap. viii. Int. Epist. Academic. penes me.

Number XIV.

A clause of an act of Parliament; confirming the Queen's letters patents to the University, in respect of their privileges.

Tenor actus Parliamenti.

AND be it also enacted, &c. as the letters patents of the

Chap. viii.

BOOK I.

Queen's Majesty, aforesaid, granted to the Chancellor, Masters and Scholars of the University of Cambridge, bearing date as is aforesaid; and other letters patents by any of the progenitors or predecessors of her Highness: and all manner of liberties, franchises, immunities, quietances, and privileges, lytes, and law-days, and other things whatsoever therein expressed, given or granted to the same Chancellor, Masters, and Scholars of either of the said Universities, or to any of their predecessors of either of the Universities, by whatsoever name the said Chancellors, Masters and Scholars of either of the said Universities, in any of the said letters patents be named: Bee, and by vertue of this present act shall be from henceforth ratified, established, and confirmed unto the said Chancellor, Masters and Scholars of either of the said Universities, and to their successors for ever, any statute, law, usage, custom, construction or other thing to the contrary, in any wise notwithstanding.

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Number XV.

The Vice-Chancellor, Dr. Whitgift, and some other Heads of the University, to the Lord Treasurer Burghley, their Chancellor: giving account of their proceedings in a controversy between the Master of Benet college, and the Fellows of the same.

Chap. viii. Epist. Acad. int. MSS. Burghlian.

OUR dutiful thanks for your Lordships continual goodness towards this whole University. According to your Lordships appointment we have called before us the Master and company of Benet college: we have heard their complaints, and causes of controversy: and have entered to consider the state of that house. And now to make report to your Honour of our proceedings, may it please the same to be advertised, that touching the principal difference between Mr. Aldrich and the Fellows, *viz.* whether the said Aldrich, being not qualified according to the statutes, may still nevertheless retain his mastership; after diligent weighing of the said statute, and hearing what might be alledged in his defence, we incline in opinion to this point,

that as the like statutes are in sundry colleges, binding the collegiates to be qualified diversly, for not accomplishing whereof, some heretofore have either voluntarily relinquished, or been put from their rooms: and considering again, how dangerous a thing it were, to admit the contrary example in one house, to the special prejudice of a great number: so likewise were we in this case induced to think, that the plain meaning of that statute is, that whosoever hath not that quality required, is not to occupy and enjoy the place.

Nevertheless, forasmuch as by the parties consent heretofore (as most of them have confessed) the resolution of the said doubt was referred to the judgment of the Archbishop of Canterbury, we have thought it not amiss to follow that course, as well to satisfy his Grace in the behalf of our late suit: (whereby we meant only to defend our privileges, but not to withdraw from his Graces hearing any private matter, which before had been orderly committed unto him) as also and chiefly, for that your Honour, not without great consideration, as we verily take it, eftsones advised Aldrich, to ensue that way. To the which effect we have addressed our letters to his Grace, not doubting, but that, as he hath a singular care for the good estate of that house, so he will determine in this case accordingly. For our own parts, we thought best, not to set down any definitive sentence therein, unless your Honour's speedy advice shall otherwise direct us. The blessed God long preserve your Lordship in most prosperous estate, to his good pleasure, and our chief comfort. At Cambridge, the 8th day of August, 1573.

Your Lordship's most bounden, humbly at commandment,

Thomas Byng, Roger Kelk,
Andrew Perne, Jhon Whitgyfte.
Edward Hawford,

BOOK I.

Number XVI.

19 *Sandys, Bishop of London, to the Lord Treasurer Burghley, and the Earl of Leicester, concerning seditious preachers at St. Paul's Cross. The great favour Cartwright and his book obtains in the City.*

Chap. ix. Epist. Episcopales pen. me.

THESE evil times force me to trouble your good Lordships. I do what I can to procure fit men to preach at the Cross; but I cannot know their hearts. And these times have altered opinions. Such as preached directly the last year, now labour by railing to feed the fancies of the people. Self-liking hath intoxicated them, and the flattery of the fantastical people hath bewitched them. Both seek dangerous alteration; thinking that their state cannot be impaired; hoping that it may be bettered.

One Crick, Chaplain to the Bishop of Norwich, much commended unto me for learning and sobriety, of late called to the Cross, there most spitefully inveighed against the ecclesiastical policy, now by law established; confirming Mr. Cartwright's book, as the true platform of the sincere and apostolical Church. So soon as I heard of this tragedy, I sent a messenger to apprehend him. My Lord of Canterbury joyned with me therein. And altho' he was conveyed away, yet we have taken such order, as we doubt not but that he will be shortly met withal.

On Sunday last, Mr. Wake of Christ's church in Oxford, who this last year made a good sermon at the Cross, and now called to do the like; he made no answer of the receipt of my letters, as he was required, until he came himself on the Saturday; and Sunday in the morning being conferred withal, both by Dr. Walker, and my Chancellor Dr. Hammond, to have consideration of these troubled times; and forsomuch as her Majesty was in progress, far from her city of London, that he would speak nothing that should turn to sedition: whereunto he answered, Well, well. Notwithstanding being set on, and provoked thereunto, as was Crick before him, by such as are authors and

maintainers of these new and seditious fancies; his whole sermon was consumed in railing against this present State; and affirming to be good whatever Mr. Cartwright in writing hath set down. On Monday I repaired to the City; and so soon as I heard hereof, I sent a messenger to seek him; but he was gone out of Town on his way towards Oxford. This man I cannot deal withal by reason of the privileges of that University. Therefore must defer it to your Lordships wisdoms, to consider of.

Such men must be reformed, if the State shall stand safe. Truly, my Lords, I have dealt so carefully as I can, to keep such fanatical spirits from the Cross: but the deceitful Devil, enemy to religion, hath so poured out the poyson of sedition, and so suddenly chaunged these wavering minds, that it is hard to tell whom a man may trust. But by God's help, I will foresee, that hereafter, the like fall not out: praying, that I may have authority from her Majesty, (as some of my predecessors have had) in her name to require such as are fittest for that place (most part refuse) to come thither. Hard it is to get any.

There is a conventicle, or rather a conspiracy, breeding in London. Certain men of sundry callings are, as it were, in commission together, to procure hands for Mr. Cartwright's book, and promise to stand in defence thereof unto death. They came to Mr. Squire, Master of Baliol college in Oxford, and required his hand. Who refused to give consent thereto. If your Lordships would call him, he would fully inform you hereof. If these seditious and tumultuous beginnings be not met withal in time, they will in short space grow to great inconvenience. The City will never be quiet, until these authors of sedition, who are now esteemed as gods, as Field, Wilcox, Cartwright and others, be far removed from the City. The people resort unto them, as in Popery they were wont to run on pilgrimage. If these idols, who are honoured for saints, and greatly enriched with gifts, were removed from hence, their honour would fall into the dust. And they would be taken for blocks as they are.

BOOK I.

There be some Aldermen, and some wealthy citizens, which give them great and stout countenances; and perswade what they can, that others may do the like. A sharp letter from her Majesty would cut the courage of these men.

Her Majesty's proclamation took none effect: not one book brought in. Mr. Cartwright is said to lie hid in London, with great resort to him. If the Lord Maior, Alderman Rivers, with others, had commission to search out these matters, they would frankly do it. Mr. Dr. Wylson[a] were fit for that purpose.

[a] Master of St. Katharine's by the Tower.

The French ministers are medlers in these matters. For Mr. Dering confessed to me, that he conferred with them touching the articles, before he delivered them to the Council; and had their consent. A sharp letter from her Majesty, or from your Lordships, to require them neither to meddle in matters of this State, neither to admit any of her Majesty's subjects to their communion, would be a good means, in mine opinion, to work quietness.

Seeing that Mr. Dering is forbid reading, [*i. e.* his lecture in Paul's] I would know your Lordships pleasure, whether another [shall be appointed] there to occupy that room? Truly, my Lords, it is high time to lay to your hands, if you mind the good of God's Church, the safety of this State. You can hardly believe what parts are made, what mischief is minded. For my part, I will do what I can; not in respect of mine own state, whereof I am very weary; but in respect of the Church of Christ, which is most dear unto me. But I am too weak. Yea, if all of my calling were joyned together, we are too weak. Our estimation is little; our authority is less. So that we are become contemptible in the eyes of the basest sort of people. How, or by what means, or who is in the fault, I will not dispute; but leave it to the Searcher of all hearts to judge.

But, good my Lords, even for that reverence that you bear to the Almighty, even for that love that you bear to the Church of Christ, even for that duty which you bear unto her Majesty, and the safety of this her State; as God

has called you in authority, and given you ability, so earnestly, prudently, and speedily resist these tumultuous enterprizes of these new fangled fellows and tumultuous people: and seek by what means you can, the peace of the Church, the tranquility and safety of this realm. I could not in duty, but thus much to say unto your Lordships. Pardon my many words. I have much more needful matter to utter: which I spare, because I would not be tedious unto you. Thus I commend your good Lordships to the good direction of God's Holy Spirit. From my house at Fulham, this 5th of August, 1573.

Your Lordships at commaundment,

Edw. London.

Number XVII.

21

Dr. Whitgift to the Lord Burghley, Lord Treasurer: when he sent him his Defence of his book against Cartwright's Reply.

I AM bold (high Honourable) to offer unto you my book of Defence, against the late Replye of T. C. not doubting, but that your Lordship will receive it with the same mind, that it is given unto you. And altho' I know that your leisure will not serve you to peruse it thorow, yet if it shall please your Lordship sometimes to read of it, I doubt not, but that you will soon perceive how little cause there is so grevuslie to accuse this Church of England, and so bitterlie to invey againste such lawful, godlie orders, and kinde of government, as is used in the same. And suerlie if nothing elles, yet the manifold untruths uttered in the Replie, not onelie in falsifying and corruptlie aleadging auntiaunte authorities, abusing of holie Scriptures, but also in the slendernes and weaknes of the reasons therein used, may move those that are godlie, quiet and learned, to the utter misliking of the *platforme*, that cannot be builded, but with such tymber.

Chap. x. Epist. Whitg. penes me.

If I have not answered everie poynte of the Replie to the

BOOK I.

satisfying of everie mans opinion, or have lefte oute manie thinges that myght have bene added, (as no dowte I have) yet I most umblie besech your Lordship, not to let that draw you into any mislyking of the cause: but rather persuade your self, that there be divers learned men in England (to whom I am in al respects far inferior) that are able to supplie my wante, and satisfie to the full, that which lacketh in me. And in myne opinion it were not amysse, if they were moved so to do. For so common a cause ought not to be ventured uppon one mans labors. But I am so wel assuered of my doctrine, that I am not onelie wel content to susteyne this paine and labor, but the envie also of divers persons, and the manifest injuries of cursed tonges. The which notwithstanding I shal the more easilie beare, yf I may styll enjoy (whereof I dowte not) your Lordships accustomed goodnes.

It becommeth me not, nether is it nedeful, to move your Lordship to be zelus in the cause. For you know better what you have to do therein, then I am able to enforme. Onelie this I am wel assuered of, that if they should be suffered to procede as they have begonne, nothing elles in the end can be loked for, then confusion both of the Church and of the State. But convenient discipline joyned with doctrine, being duelie exequuted wyl sone remedie all. For sectes and schismes can by no meanes abyde these two: nether wyll they long continew, where they are not by some in authoritie cherished and maynteyned. This experience, and the stories of al ages teach to be true.

The Lord gyve peace unto his Church: the Lord preserve your Lordship, and govern you with hys Holie Spirit; that you may long live profitably unto hys Church, and honorablie unto your countrie. From Trinity college in Cambridge, the 5th day of Februarie 1573.

To your Lordship moste bownde, and for ever to commaunde,

Jhon Whitgyfte.

Number XVIII.

Perne, Vice-Chancellor, and the Heads of the houses in Cambridge, to the Lord Burghley, their Chancellor; to moderate some statutes, whereby the University had not any power to dispense in giving of degrees. 22

SI ex legislatoris consilio et prudentia legum dignitas ponderari, &c. To this tenor in English; That if the dignity of the laws was wont to be weighed by the counsel and prudence of the lawgiver; and that the felicity of the commonwealth depended on the dignity of the laws; and that they were the best laws that proceeded from the mind of the wisest lawgiver; and that commonwealth best established, which was governed by the best laws; then in truth they [of the University] who enjoyed so prudent a lawgiver, as he, the most honourable Cecil, and such good laws, congratulated themselves; and ought certainly to render him the greatest thanks; who was pleased to be the exquisite framer of them. That while they more deeply bended their thoughts upon the whole University, and viewed, as it were, with lyncean eyes each part of it, they found nothing in any commonwealth, that concerned either profit or convenience, dignity or ornament in their laws, but that they apprehended it was all fully conferred on their University, by his pains, counsel, and authority alone. Whether it were peace among the members and agreement, which was the fruits and effects of good laws, or worthy rewards to virtue, and due punishments to crimes, (whereby every commonwealth is preserved,) all proceeded from good laws, as the fountain. All these good things they did not so gladly feel themselves to possess and enjoy by his honourable means, as willingly and freely to acknowledge it. For the heads of dissension were now a good while ago cut off, and the most earnestly wished for peace was restored to their studies; and due rewards of virtue waited for such as were studious, and deserved punishments were inflicted upon faults. No place Chap. xi. Epist. Academic.

BOOK I. with them now for drones and idle persons. No degree granted, but to those that well deserved it. No honour given, but to such as were worthy and fit for it. For all which, so wholesome to the University, and so beneficial to them 'all, since they flowed to them by his prudence alone, they had great cause seriously to congratulate him, as the author of their safety and dignity. And that they felt and declared themselves blessed, he being their chief and governor.

That his so anxious care for their affairs, those his solicitous thoughts, this his singular love toward the whole University, and that his truly calm mind toward every academic among them, was the cause, that as before, for their past benefits, they had given their thanks to him, their illustrious Mæcenas; so now they came with a new petition to his prudence: from whom nothing was so great that they dared not ask; nothing so hard, which they hoped not to obtain.

That among the many laws, as well safe as necessary, lately given them by the Queen's Majesty, experience had taught them, that one was a little too severe, namely, that which took away altogether from them all power of dispensing in granting degrees: which [law] necessarily required all the rites, ceremonies, and exercises from those of their University whatsoever, that were to be promoted to any dignities in learning. Which indeed, if it had admitted its interpretation, and respected those that were present in the University, who daily frequented the public schools, and who ought to be present at every exercise of their faculty, the law [they acknowledged] was equal and good, and not so much because of the profit it brought with it, as by reason of necessity, which gave right to the law itself, to be admitted and approved by them; lest their dignities should meet with drones and idle persons, and such as did nothing: which ought to be open to none
23 but such as were worthy and industrious. But if the same law reached to them who were gone away; but while they were with them in the University, conversed there with

great reputation; when they went abroad with no small praise in the open light of the commonwealth, who gave testimony of their learning, not at Cambridge only, but almost all over this realm; and to tie them to every even the smallest exercise of their schools; and to follow, not so much the mind, as the words of the law; this seemed, (as they tell him, whom they called their *best and most loving patron*,) while they rejected those men, (and so often they rejected them, as they neither would willingly undergo their burdens, nor was it in the power of the University to remit any thing to them,) that they did not sufficiently consult for their own splendor and worth; than which nothing was more dear, and set by his Lordship, as they persuaded themselves.

That they required therefore some mutation, or rather mitigation of that statute: that without any either blemish to their credit, or violation of their laws, they might be able to do something grateful to strangers, repairing unto them out of love and honour, by some remission of those exercises: and that by that courtesy and respect, they might allure to their University many men eminent for piety, and excellent in the knowledge of arts. And that if his Lordship would procure this favour for them by his wisdom and authority, he should make the University of Cambridge, not only illustrious for its own ornaments; but, being graced with lights from abroad, much more illustrious.

But after what manner or way this might be done, they thought not fit to write down in their letters, nor prescribe to him, lest they might seem too troublesome to him, otherwise full of business; all that, whatsoever it were, they reserved to the speech of Dr. Whitgift: to whom they earnestly prayed his Lordship to give as much credit, as he should think were to be given to their letters. Farewell. Dated from Cambridge 11 calend. Martii, 1574. Subscribing,

Tui Honoris studiosissimi, et reliqui collegiorum Præfecti.

Procancellarius.

BOOK I.

Number XIX.

A copy of certain words uttered by John Cock, Student and Fellow of St. John's college, before his beginnings to certain exercises, as well of Common Place, so called, as other his readings intended by him; to answer a statute of that house de Lectione Biblii, *what time he took to read the Epistle to the Hebrews.*

Chap. xii. Academic. MSS.

THE last time I occupied this place, I began to expound the Epistle of St. Paul, written to the Romans: and so in exercise, which by vertue of statute I was then enjoyned unto, I continued the same to an appointed end. Now for that a like urgent necessity is nere, or upon me to expound out of Scripture, I cannot wel tell for how long, or how much, tho' I purposed not here to have opened my mouth, yet for causes I cannot but speak; what they be, it is not for you to hear of me. Sufficient unto you is my presence amongst you.

Say then. What shall I say? Somewhat, say you. Of what? Here is the question. And if I stand me still to tarry you, and tarry me so, as to receive an aunswere from you, every several saye of yours, which my heart telleth me that you wold speak, might set me to saye of every thing somewhat. Saye, saith the superior, to speak
24 of the inferior; tell him of his duety; shew him, what a evil disobedience is. Apply it to every days excess and defect. Magistrats are contemened. Reverence is neglected. Duties be confounded. The contentious man never more reigned. Tell him of that. Teach him by humility how to amend that. Declare of the evills that have happened by it. The Apostle, writing unto Timothe, hath matter of al sorts for that. Ambrose and others do very wel expound it. Call them *rashe*, call them *heddye*, call them *highminded*. And if there be any other thing in them that is contrary to holesome doctrine, spare them not: speak it out of Lactantius: *Videri volunt non tantum cum venia, sed etiam cum ratione, peccare.* Seke in Seneca, what he saith of the poet Ovid, *Non ignoravit vita sua, sed*

amavit. Shew how prettily to what they may be compared. Then call of their conscience, for al other their dueties; which while they hold by contention, they cann never have, to wytt, love, lowliness of mind, obedience, observing of good laws and appointed orders, with their study to edifying, which is by faith: from which they erre, while they are found endles.

Well, sayth the inferior, and thus may I be blamed. But the evil you make no end of, beginneth not so. Yt is from a higher head. And from thence am I derived. I consider the end of our conversation: but the superior leadeth not forward to the establishing thereof. I wold set my stepps by the brightnes of his light; but the light in him is no better than darkness. Well may he sing of mercy and judgment; as who but he, in the way of godliness? But when I see his gate, he treadeth not so; my heart telleth me, he trippeth short. He doth al like as doth the deceiver. His life is like a market, where is gayne. Make him better, and then mende you me. Tell him of his duety, and guiding with indifferency. Charge him with his othe, and the streams which are to runn from his vowed integrity. And if there be any other thing in him, which is contrary to holeseme doctrine, be yt covetousnes, filthy lucre, lack of care to govern God's Church. This tell you them, before you tell me that.

Thus between this and that, and a thousand running evills by this and that, there is no end of our invention, nor any beginning of good disposition: Gods matters lay before us chaos-like. Al is as it were vanity of vanities. Al is to eat and to drink, and to walk in the ways of our own heart. Heaven and hel, faith, conscience; sin, death, alas! they do but serve in tyme and turne. We talk of heaven, and tell of hell: we speak of faith and a good conscience. We are able to disclose the man of sin, and humble men by the fear of death. When *Loquens* is up in matter of no learning, and carried with the ful tyde and wynd of our own witt, we think us pretty wel. But where is good will? Where is Christ? Whom do we follow? What may

BOOK I. we say, to speak that truly? Truly, that God hath made man righteous; but he hath sought many inventions, &c.

This was that for the which I was first accused to the Master, and after acquitted for, by the testimony of those that heard me speak yt. However otherwise some Masters of houses have by their authority wished and willed *sub virtute juramenti*, a form and manner of retracting and revoking yt: *viz.* with their testimony and handwriting under yt, thus,

Edward Hawford.
Jhon Whitgift.
Roger Goade.

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Number XX.

Dr. Still, Master of St. John's College, to the Lord Burghley: upon his nomination by the Queen, to succeed Dr. Whitgift in the mastership of Trinity college.

Chap. xiii. MSS. Academica.

COGITANTI mihi jamdudum, honoratissime Domine, quanto et Academiam nostram amore, atque studio, et academicos homines benevolentiâ, et meipsum in primis (fatendum est enim, et quidem, dum vixero, libentissimè fatebor) benignitate atque adeo favore sis complexus; dolendum potius videbatur, tuum mihi patrocinium in amplissimo beneficio anticipatum esse, quàm lætandum oblatum esse aliorum. Neque enim ita rerum nostrarum ignarus sum, ut non intelligam, quantum et possit apud omnes, et apud nos debeat valere dominatio tua; in cujus amplitudine, consilio, autoritate, tanquam in peropportuno diversorio, Cantabrigienses omnes, alumni tui, conquiescimus. Verùm, cum ita honoratissimis quibusdam dominis, atque patronis meis visum est, ut meo nomine a regia Majestate, sua sponte, me ne rogante quidem omnino, peterent, atque adeo impetrarent, quod mihi maximo usui esse possit, spero dominationem tuam non gravate laturam, id in me munus esse collatum, quod nobilissimorum Dominorum rogatu, non aliqua mea ambitione, concessum est. Atque ita, ut sperem, fecit perhumanus sermo tuus, quo paulò ante discessum meum utebare: tam mihi gratus sanè multis nominibus, quàm qui maximè.

Quodque ad illam gravissimi sermonis partem attinet, quæ erat habita de collegio S. Joannis, hoc unum et verè possum, et piè audeo affirmare, collegii ærarium, ex eo tempore, quo meæ administrationi commissum est, non modo non deteriori, sed etiam meliori conditione fuisse, quàm anteà fuit: spero etiam illius statum longè futurum deinceps, novis præsertim adhibitis rationibus, a tua potissimùm dominatione procuratis, in dies singulos pacatiorem. Ego certè in eam curam atque cogitationem quàm potui diligentissimè incubui, ut, qui locus querelarum atque turbarum plenissimus habebatur, eum efficerem studio meo, non solum tranquillum et morigerum, sed etiam omni literarum virtutisque genere, quamprimùm id commodè fieri posset, florentissimum: quodque privatim in illius collegii administratione instituera facere pro viribus, id publicè mihi faciendum proposui in universæ Academiæ statu amplificando, siquo studio, labore, industria, sedulitate possim illius vel quieti, vel dignitati providere. In eo etiam collegio potissimùm, quod prudentissimè a Doctore Whitgifto, pacatissimeque administratum, nec ullis jamdiu tumultibus agitatum, mihi regiæ Majestatis voce, quemadmodum quidem accepi, designatum est. Quam tanto leviorem fore provinciam animo prospicio, quanto collegium relinquetur ab optimo Præside, moderatiori instituto atque ritu, temperatum.

In quo tamen, sicut in rebus omnibus ad Academiæ statum, atque conservationem pertinentibus, ita Honoris tui consilium voluntatemque sequi cupio, ut nihil prius aut antiquius ducam, quàm, si mihi per dominationem tuam licuerit, in ea firmissimum mearum rationum, atque consiliorum præsidium collocare. Certè tam me obsequentem reperies, tamque ad sapientiæ tuæ normam flexibilem alumnum, quàm debet esse is, qui eam universæ reip. agnoscit, ecclesiæque in primis salutarem. Deus Opt. Max. Honorem tuum, et mihi, et Academiæ nostræ, et toti reip. quàm diutissimè servet incolumem, ac florentissimum. Dat. 20. Februarii, 1576.

Honoris tui observantissimus,

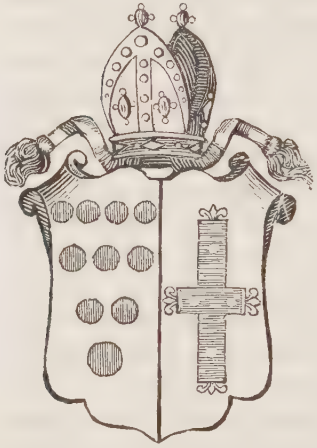
Joannes Still.

BOOK II.

26 Number I.

The patent granted to Dr. Whitgift, Bishop of Worcester, by Garter King at Arms; for the bearing of arms.

Chap. i. Ex Officio Armor.



OMNIBUS Christi fidelibus ad quos has presentes literas, [pervenerint] visuris, lecturis, vel audituris, Gilbertus Dethick, alios Garter. Miles, principalis Rex Armorum Anglicorum, salutem. Cum debita et humili commendatione.

Æquitas vult, et ratio postulat, quod homines virtuosi, laudabilis dispositionis, et vitæ honorabilis, sint per eorum merita honorati et remunerati in suis personis, existentes in hac vita mortali tam brevi et transitoria, et in quolibet loco honoris præ cæteris exaltati; demonstrando signa et exempla virtutis, ac etiam humanitatis, *viz.* scutum cum insigniis honoris et ententione: ut per eorum exempla alii magis conentur eorum vitam in bonis operibus et factis clarissimis exercere. Et ideo ego prædict. Garter. Rex Armorum, ut supra, non solum ex divulgata fama, verum etiam ex mea cæterorumque nobilium fide, dignorum testimonio, sum veraciter instructus et informatus, quod reverendus in Christo Pater Dom. Johannes Whitgifte, Doctor Divinitatis, ac Wigorn. Episcop. diu in virtute claruit, ac veri ac Christiani præsulis officio functus est, et fungitur in dies. Adeo ut benè mereatur, et dignus sit in omnibus locis honoris, admitti, numerari et recipi in numerum et consortium aliorum veterum, præclarissimorum ac illustrissimorum virorum. Quapropter ob memoriam æternam tantæ virtutis et humanitatis, authori-

tatem et potestatem mihi officioque meo Garterii Regis Armorum per serenissimam Dominam Reginam, [commissam] concessi et attribui, ordinavi et assignavi præfat. Dom. Johanni Episcopo Wigorn. ut supra scutum cum insigniis honoris, sicut hic Gallicè declaratur, *Ceste assavoir, d'or sur un croix flurette d'asur quatuor boysants*, ut latius in scuto hic depicto apparet: habend. et tenend. eidem Johanni Episcop. ut supra: et ut ipse in his ornatus sit ad 27 ejus honorem in perpetuum. In cujus rei testimonium has præsentes literas manu mea propria subscripsi ac sigillum meum ad arma, una cum sigillo officii mei Regis Armorum præsentibus apposui. Dat. Londini, anno regni Regin. Eliz. &c. 19. secundo die mensis Maii 1577.

Number II.

The Privy Council to the Bishop of Worcester, Vice-President of the Council for the Marches in Wales: notifying the Lord President's coming.

AFTER our harty commendations to your Lordship. Whereas our very good friend, Sir Henry Sidney, L. President of that Council, doth presently make his repair into those parts, to exercise his office of L. President of that Council, in his own person, with her Majesties very good liking; albeit that we find very good cause right wel to like and allow of your Lordships doings, while you have exercised that office, as Vice-President, &c. do in her Majesties behalf, and our own, yield you right harty thanks for the same: yet forasmuch as his Lordship doth now mind to attend it himself, it is meet, as we are sure your Lordship thinketh reasonable, that the place should be yielded unto him: that he may exercise the same with ful authority, according to his letters patents, and the instructions thereunto belonging: and which we nothing doubt but your Lordship, as a man faithfully inclined to her Majesties service, and a Councillor there, wil yield your best assistance. And trusting this to suffice for notice to

Chap. ii. MSS. Guil. Petyt. Armig.

BOOK II.

be given thereof, as wel to your Lordship as the rest of the Council there, wee bid you hartely farewel. From Westminster, the 8th of February, 1579.

T. Bromley, Canc. E. Lyncoln.
R. Leycester. F. Bedford.
Will. Burghley. T. Wylson.
Hatton.

Number III.

Cox, Bishop of Ely, to the Lord Treasurer Burghley; acquainting him with news sent him from Switzerland, of the dangerous condition of this realm from the Pope.

Chap. ii. Epist. Episcopal.

ETSI multis modis tibi notum sit, et satis cognitum quid moliatur ille Antichristus Romanus; interim tamen cum per amicos procul dissitos Antichristi incendium accendatur Romæ, et in omnem ferè orbem divulgetur; et nuper accepimus a verè amicis nostris, et regno et Reginæ nostræ, atque ejus proceribus impensissimè faventibus, quod Antichristus ille, ut bulla Alexandrino Cardinali exhiberetur contra serenissimam Angliæ Reginam; atque quingenta exemplaria imprimerentur, quæ in eam orbis partem emittantur, quæ Catholicissima judicatur, Antichristus et Hispanus in idem consentiunt. Adeo ut duodecim millia Italorum in militiam Hispanorun brevi conscribantur. Hæc quidem ad me jam ex Helvetia transmittuntur, quæ pii fratres candidè nos admonent. Et si procul a nobis absint, precibus tamen propè adsunt, &c. Downamiæ, 18 Junii 1580.

Tuæ Celsitudinis ex animo longe carissimus,
Richardus Coxus.

[Number III.]

A Book of Articles (thirteen in number) offered to the last session of Parliament, anno 23 Eliz. 1580, for ecclesiastical causes: with an answer to the same from the Bishops. 28

CONCERNING MINISTERS.

The first article.

THAT it may be enacted, that none be admitted to be Minister of the word and sacraments, but in a benefice, having cure of soul; then vacant in the diocess of such a Bishop as is to admit him. Chap. ii. MSS. Ecclesiastic. penes me.

The answer to the first article.

This cannot possibly be performed without alteration of the whole state of the Church of England.

I. Because there must be Curates, and that of necessity.

II. Because there are other ecclesiastical livings, which require Ministers of the word and sacraments, as well as benefices with cure, as deneries, prebends, masterships, and fellowships in the Universities; Petty-Cannons in cathedral churches.

This article is grounded upon a false principle of T. C. against Ministers having no pastoral cure, which neyther he nor any man ells is able to mayntayne, eyther by the worde of God, or auncient authoritie; for by *ministerium vagum* the old counsells and cannons did alwayes vnderstand suche as were ordayned *sine patrimonio aut titulo*, that is, not havinge any staye of lyvinge as it is manifest in the Councell of Chalcedon.

Suche as haue great cures shalbe ouerburdened with sayinge of service, preachinge, ministringe of sacraments all themselues. For they shalbe destitute of a Curate to helpe them to saie service, to visitt the sicke, to minister the sacraments, to catechise, &c. By this meanes fellowships in colleges, which by their statute must be within orders, are overthrown.

BOOK II.

The seconde article.

That before thadmission of suche Mynister, the Bishop shall geue publicke notice by wrytinge vnder his scale, to be fixed on the churche dore the destitute of a Pastor, upon some Sondaye or holydaye in the tyme of divyne service, signifienge the name of the partie permitted to that churche: or thereto to be admitted, with intimation that suche as within xx dayes after will object agaynste his admission shall appeare, at a place certayne, before him, and alleadge suche matter, as shall onlye concerne his conversation of lyfe, and thereby his insufficiency for that place.

The third article.

That the Bishop shall not procead to thadmission of any to be Minister of the worde and sacraments, before due certificate bemade in authenticke forme and publick place, by him to be assigned, that his processe of notice and intimation was executed in forme aforesaid, nor before thexpiration of the saide xx dayes, nor without caulinge for, and hearinge of suche as uppon retorne of the said processe shall and will objecte, as is aforesaid.

29 *The answer to the second and third articles.*

This is vnnecessarye and in vayne, unlesse he that is to be admitted had bene dwellinge in that parishe before: which will happen verye seldome.

The writinge and sendinge to the benefice voide, and the retorne thereof in authenticke forme wilbe very chargeable to the Minister, especially where the place is farre from the Bishops mansion house.

It also protracteth tyme, and will minister occasion of quarrelinge.

The charges and delaye wilbe alsoe encreased, yf the partie to be admitted doe stand uppon the purgations of the objections layde agaynst him.

This testimony required of the parishioners lackinge their Pastor is an introduction to bringe the patronage to the people, and to sett a fier amongst them, for testifienge or not testifyinge, and that many tymes of a person they know not.

The obiectinge of the people will fall out many tymes to be of malice, whereby immortall hatred will rest amongste them.

The person had neede be a very evill mann; that a nomber of the parishe will come a longe jorney to the Ordinarie in their owne cost, to object agaynst him that is to be admitted.

What yf the parishe wilbe negligent, and will not retorne, shall they lacke a Pastor still? The patrone, yf he be mightie, maie eyther lett the retorne, or procure suche as he shall lyke of, and whoe, and howe many of the parishe shal retorne.

The fourth article.

It is here to be provided, that where, in certayne colleges and cathedral and collegiat churches, the foundation or statutes require such as are there placed, to be Ministers; it shall be lawfull for such as are knowne to professe the studye of dyvinitie, or otherwise be lawfully dispensed with all, to retayne, as before this acte they might, any fellowship or prebend within the said colleges, notwithstandinge they be noe Ministers.

The answer to the fourth article.

1. This utterlye overthroweth the foundation and statutes of almost all the colleges in Cambridge and Oxford, beinge founded principally for the studye of dyvinitie, and encrease of the nomber of learned Preachers and Ministers, and therefore, not only the Master, Provost, Warden, President, &c. by the same foundations and statutes are bounden to be Ministers, but dyvers others also of suche societies are lykewise bounden to enter into the ministery by a certayne tyme, or ells to yelde there places to others.

2. It will deprive the Churche of England of the worthieste best learned and wysest Mynisters and Preachers. For there is no comparison betwixt such Mynisters and Preachers as the Universities continually yield, in the respect of suche fowndations and statutes, and others beinge noe Universitie menn, or not entringe into the ministerie,

BOOK II.

whiles they remayned there, as at this daye it is notorious. For althoughe there are diverse that cann preache, &c. yet they haue noe substaunce of learninge in them, neyther are they able to stand with thadversarie eyther in pulpitt or disputation. A thinge as well required in a Minister as exhortation is.

3. Yf this devise take place, where the Uniuersities yeld nowe yerely great nomber of Preachers and Ministers, they would not then yelde one for twentie. And soe the nomber of preachers which nowe are thought to be very fewe, would then be much less, and at length the vtter decaye of the studye of divinitie, and the very next waie to bringe in Poperie and ignoraunce agayne.

4. It ouerthroweth the degrees of the Uniuersities which are taken in divinitie; as the Bachelershipp and Doctorshipp. For even sythens the firste foundation of them bothe, it hathe ben perpetually used, and it is by statute requyred, that none should take any of theis degrees, but suche as are in the ministerie. And indeed it is bothe inconvenient and absurde that it should be otherwise.

5. At this daye there are in the Universitie of Cambridge an hundred preachers at the lest, very worthye menn: and not many lesse in the Universitie of Oxforde. And the nomber daylye encreaseth in both, to the great benefit of the Churche. But yf this might take place within theis seven yeres, there would not be five Ministers in eyther of them.

6. It would cause men all there lyfe tyme to remayne in the Universities: soe that there should be no succession.

7. It alsoe overthroweth the foundation and statutes of all cathedrall and collegiat churches, and takethe awaye the cheife and principal reward for learned preachers: for the best lyvinge for worthie men are in such churches.

8. It takethe awaye the wisest, best learned and gravest Divines; suche as bothe doe and are most able to withstand not only Papists, but other sectaries also.

9. Every one, to kepe theis places, would openly professe the studye of divinitie, and secretly study the one

lawe or thother, or phisick; or some tryflynge studye all his lyfe longe.

10. There wilbe noe care of profitinge, when theire is no triall thereof, which is most especiall by open preaching, which were absurde to be done by noe Ministers.

11. Any which hathe bene a student maie, under pretence of studyinge dyvinitie, without any triall obtayne deaneries, provostshipps, prebends, &c. and beinge a laye man, maie lyve idly on the spoyle of the Churche, all his lyfe, except he take a benefice.

12. There shall want sufficient triall of the abilities of preachinge of suche as are to be Byshopps, except they be chosen from some benefice, which breadeth smale experience for government.

13. It would greatly dyminishe the nomber of preachers and sermons, which the Universities, colleges, and cathedrall churches doe yeld bothe at home and abroade in euery countrie, in the respect that those which nowe haue the lyvinge are bounde to be Ministers.

14. It taketh awaie dailie service vsed in theis churches, (which were impietie,) unlesse it might be said or songe by suche as are noe Ministers, which is absurde.

15. To conclude, it will breede a beggerlye, vnlearned and contemptible clergie and ministerie. It is the very waie to ouerthrowe all colleges, cathedrall churches and places of learninge. It will extinguishe the studye of divinitie, diminishe the nomber of preachers, and breede a great confusion and alteration in the Church and commonwelthe. And it is a pece of T. C. his platforme.

16. By this the reward of divinitie wilbe taken awaie, and the Divine thrust to a benefice of xl*l*. This is couertly to shove at the Gospell, to place the lawyer and others as they please.

17. *Note*, that here they woulde haue dispensations to take place agaynst the statutes of colleges and cathedrall churches.

The fifth article.

That none be made Mynister, but uppon some Sondaye,

BOOK II. publickly in the cathedrall churche of the dioces where the Minister is admitted.

The answer to the fifth article.

1. That he be made publickly it is not amysse, but to observe the precise place of the cathedrall churche, it cannot be, because dyvers Byshopps dwell farr from their cathedrall churches.

31 *The sixth article.*

That the Bishop make noe Minister but suche as be of his owne diocese, and haue there contynued by the space of one whole yere, except suche only as come from the Universities, and bringe testimoniall of their meetenesse vnder the Universitie seale.

The seventh article.

That suche as be of the Bishops owne diocese shall bringe with them suche a testimoniall as is lymyted in the statute of anno 13 Eliz.

Answer to the sixth and seventh articles.

1. Theis are very expedient and necessarie, and even soe provided for by the lawe.

2. It were most meete also that theis two were observed, when patrons present to a benefice, and that as the testimonialls doe witnesse their conversation, so the Bishop should without any impeachement of *Quare impedit*, &c. be judge of their abilitie, in respect of the cure which they desire.

The eighth article.

That after the receipte of the said testimoniall the Bishop shall not procead to the makinge of the person Minister, which bringeth that testimoniall, before he shall declare before the Deane and Chapter of his cathedrall churche, that he well knoweth the persons by whome the testimoniall is made, to be suche, as is by the saide statute expressed.

The answer to the eighth article.

This is vnnecessarie and altogether needlesse, neyther can it be performed.

The ninth article.

That he shall not make any Minister, but suche as shall by the Deane and Chapiter, or the more parte of them, or six learned preachers of the diocese then present, be allowed for a man meete and sufficient, by subscription of their hands to some writinge, declaringe their assent in allowinge of him.

The answere to the ninth article.

1. It will breed great trouble, and not worke that effect which is looked for, neyther can it in all places be performed.

2. It would alsoe be very chargeable uppon the absence of the most of the Chapitre, yf the partie should procure the hands of six preachers dwellinge dispersed.

The tenth article.

That none shall haue a benefice with cure, beinge of the value of xx*l.* yerely in the Queenes booke, excepte he be a Master of Arte, or a Preacher allowed, notwithstandinge that he be made a Minister before of some meane cure.

The answere to the tenth article.

It is to be lyked of, so that diligent heede be taken that none be admitted preachers, but suche as be worthye.

Concerning Excommunication. 32

The first article.

Excommunication is at this tyme the payne of contumacie, and hathe place where a man appeareth not uppon processe, or satisfieth not some order prescribed by the Judge, as not takinge some othe, or not payinge legacies, tythes, &c.

The second article.

The offences that growe by the practise hereof, in this manner are great. One, that beinge the highest censure leafte to the Churche of God, it is prophaned by applyinge it to temporall and civill causes. Another, that it is executed by men that haue noe caulinge in the Churche, as Chauncellors, Officialls, &c.

Agayne, forasmuche as the Churche maie not be leafte

BOOK II.

without this censure of *excommunication*, it is to be provyded, that for enormous crimes, as adultery and suche other, the same be executed, eyther by the Bishopps themselues, with thassistance of grave persons, or ells by other persons of callinge in the Churche with the lyke assistaunce, and not by Chauncellors and Officialls as hath bene vsed.

Answer to the first and second articles.

Excommunication hath bene vsed by thecclesiastical Judge, ever sythens there hath bene eyther discipline in the Churche or jurisdiction in the ecclesiasticall magistrate, and is the only punishmente thereof. For the auncient lawemakers thinkinge that bloud and bodyly paine ought to be farr from ecclesiasticall magistrates, haue geven them this myld spiritual sworde, to divide that person from the ecclesiasticall body, that refusethe to do his ecclesiasticall duties, and to obaye the ecclesiasticall Judge, not excommunicatinge euery mann for two penny causes as is surmised, (thoughe indeed there be asmuche right in two pence, as in CC*l.*) but excommunicatinge them for not obeyinge the order, decree and sentence of the Judge, accordinge to her Majesties ecclesiasticall lawes. Euen as in a temporall cause of ii*d.* the partie is outlawed, and consequently his goods and fruite of his lands at the Princes pleasure, yf he appeare not, or obey not. And it is not to be said that a mann is owtlawed for ii*d.* but for not obeyinge the lawe, processe and Judge in a ii*d.* matter; for the smaler the matter is, the greater is the faulte of contumacie and disobedience, saythe the lawe.

Excommunication for processe, order not obeyed, takinge some othe, &c. is not for civill causes, but theis causes are ecclesiasticall. And what can be more agaynst the Churche then when menn will not be ordered by it, nor obey it? In Gods lawe suche as would not be ordered by their Judge or his Priest were stoned.

There is no lawe nor function in this world, voyd of exception and imperfection, and to haue it void thereof *est optandum magis quam sperandum*, as in Platoes Common Welthe, &c.

If excommunication be either taken away or changed, the whole course of the common lawes of the realme concerning that matter, and towchinge the write of *excommunicato capiendo*, must be changed. Wherein manie things (not yet thought of) maie happen: and in steede thereof, some convenient temporall penalty must be devised, which how vnliking and vnplausible it will be, and howe full of difficulties, the wise can consider.

And if excommunication be thought fittest to contynewe (for that there wilbe as many inconveniences (or more) in tyme fownde in other thinges as in that) and that for the better credit of the proceadinge therein the Bishop himselfe be arcted to sitt in consistory, his whole lyfe wilbe spente in his jurisdiction, and in study of lawe, for that he must be able to decerne, whether the processe be accordinge to 33
lawe before he inflicte the censure: which wilbe as great a decaye of preachinge as it hath be in fore tyme. For that jurisdiction alone requireth *totum et integrum hominem.*

Touching the execution by menn of noe caulinge in the Churche.

The jurisdiction in the beginninge was ioyntly in the Bishop, Deane and Chapter: which bred so many opinions, suche impeachements and confusion in proceadinge, that by the generall custome of the worlde generally the jurisdiction was thought conuenient to be exercised by the Bishop alone. Which growinge great as the Church and ecclesiasticall causes encreased, and consequently caulinge the Bishop from his function, the lawe and constitutions ordered that the Official or Vicar Generall of a Bishop or Archebishop should haue the same consistory and jurisdiction that the Archebishopp or Bishopp had, and the same authoritie to excommunicate, which by the statute of this realme is also allowed to Doctors of the Lawe. For that in later tymes Dyvines haue wholly employed them selues to diuinitie, and not to the procedings and studdy of the lawe, whereunto in fore tymes the Clargie was more addicted then to divinitie, in respect of the gayne and offices exer-

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cised under Bishopps, Archedeacons, and other ecclesiasticall caulings: which drew them wholly from dyvinitie.

This excommunication by lawe was neuer used, no, nor coulde be used as a punishemente of any cryme, savinge of notorious heresie, usury, symonye, pyracie, conspiracie agaynste the person of the Prince, of his state and dignitie and crowne, perturbers of common peace and quietnes of the Churche or realme, wilfull murderers, sacrilegers, periurers and incorrigible and notorious committers of incest and adultery, false witnesse and suborners thereof, violent layers of hands vppon ecclesiasticall persons, and suche other great and horrible crimes, which were cauled *sentenciæ canonum*. Wherein besides the particular penaunces, that the Bishop and their officers did impose;

It was for more terror provided by auncient canons, that there should be a generall open denunciation of this excommunication in euery cathedrall churche and parishe churche twise in the yere.

For other light faults there was noe excommunication permitted or vsed as a punishment, other then for manifest and wilfull contumacie or disobedience in not appearinge, when persons were cauled and sommoned for a cause ecclesiasticall, or when any sentence or decree of the Bishop or his officer, beinge deliberatly made, was wilfully disobeyed, or not performed.

Suche wilfull contumacie and disobedience to authoritie is in the lawe accompted so great, that it is cauled a contempte of that, *quod est in jurisdictione extremum*, that is to saie, yf the Judge cannot haue apparaunce of the parties or execution of his judgements, he is at the wall, and can goe noe further.

Of very auncient tyme this was the manner of proceeding in this realme, and the only meanes of reducinge obstinate persons to the obedience of the lawe.

It maie appeare by the auncient statute or acte of Parliament in the ixth yeare of Edward the Second, that it was the old custome and vsage of the realme longe before that tyme. The words are theis:

Si aliqui propter suam contumaciam manifestam excoicentur, ac post quadraginta dies pro eorum captione scribatur ac pretendunt se privilegiatos; et sic denegatur breve regium pro captione corporum: responsio Regis, nunquam fuit negatum, nec negabitur in futur.

It is to be considered, whither this manifest contumacie and wilfull disobedience to the magistrate, and authoritie, be not as well punishable, when the originall cause or matter is light as waightie, the difference whereof dothe nothinge alter the nature of the disobedience.

In this our realme, of very auncient tyme, it hath bene observed from tyme to tyme, that there was neuer alteration made of any lawe ecclesiasticall, althoughe it had appearaunce to benefitte the state of the Clergye, but that it turned euer to some notable prejudice.

Concerning Commutation of Penaunce. 34

That there be no commutation of penaunce for sinne, but by the order and appointement of the Bishop with thassent of the Deane and Chapter, or the most parte of them, or with the assent of six preachers of that diocese.

The answere.

1. The Bishop is sufficient for this matter.

2. It were good to inhibite Justices of peace to commute, but to permitt them only to punish corporally: and yet notwithstandinge, the parties offendinge, not to be receyved into the Churche, till they haue done suche penaunce whereby the congregation maie be satisfied.

Concerning Dispensations.

The first article.

The faculties, which did the greatest hurte in the Churche of God were three, *viz. dispensatio de non promovendo*, dispensation for pluralities of benefices, and dispensation for non-residence.

The second article.

Theis two last named faculties haue bredd the disorder of makinge *vage Ministers*, whereof hathe ensued two

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great incommodities. One, and the cheifest of all, that the people is not taught. Thother, that Ministers placed in benefices where the Pastor is absent, and havinge for the most parte smale allowance, do post from place to place for their better preferments, and restinge noe where, respect neyther their lyfe, ne increase in knowledge. For men be carefull for their conuersation where they are to haue continuaunce. And smale accompte cann be taken how he profiteth that abydeth no where longe.

The answere.

The facultie *de non residendo* is soe rare, as by the present Archb. there was neuer any graunted, and by the last Archb. never any yelded unto, but by speciall request and warant from my Lords of her Majesties Counsell, and that to menn qualified in her Majesties service, otherwise greatly imployed in the commonwelth, and therefore it needeth noe further provision by lawe.

The facultie of non-residence is alsoe so rare, and graunted in suche respects as sythens the tyme of this Archb. there hathe not bene aboue one graunted, and that to a man of lxxx years old, with whome the lawe it selfe dispenseth: besides, that the statute of the realme provideth so sharpe a penaltie for non-residence by the forfeyture of x*l.* a moneth, to be recouered in the Exchequor, as noe man carethe to sue for that facultie. And yf they doe, it profiteth nothinge; for that the statute inflicteth the punishment, all faculties and dispensations notwithstandinge. And a more severe punishment cannot well be devised.

Touchinge the facultie of *pluralities*, the grounde thereof is this; men of excellent gifts and extraordinarie vertue, oft tymes, eyther haue noe lyvings, or very smale lyvings; and when they cannot obtayne so great as there qualitie deserveth, the pollicie of the Churche hath thought fitt to graunte to suche an one twoe lyvings, as an extraordinarie rewarde for extraordinarie vertue. For yf all menn could be made fitt for all lyvings, or all lyvings for all manner of menn, there should haue needed noe dispensation of pluralities: but for as muche as that cannot be, it is lawfull

in such case of necessitie, and for suche extraordinarie causes, to receed from the streight and common course of the lawe. And soe hath it bene vsed in all ages, neyther can it be better polliced or more restrained then of late it hathe beene, in respecte both of distaunce of places and the valewe of their persons, with great caution bothe for their hospitalitie and preachings. Besides, that the lawes beinge positiue, that forbid pluralities, the difference in reason is very smale between two little benefices, not far distant, and one great benefice. And therefore noe strange thinge, yf by lyke positive lawe there be admitted by dispensation a mitigation of the rigour of lawe.

Moreouer, the nomber of benefices in England beinge about xviii thousand, and the Universities not able to furnishe the third parte of them with sufficient menn, it is better that one worthie mann hath ii benefices, then to be vnfurnished of lyvinge, or obscurely placed in a smale parishe and poore lyvinge, or the same ii benefices committed to two vnlearned men.

The third article.

That noe Chaplayne haue two cures, yf bothe amounte aboue xl*l.* in the Quenes books, or be twentie myles distaunte.

The fourth article.

That none enhabled to haue two cures shall enioye the same, unlesse they be vnder the value aforesaid, and within xx miles distaunce, and be resident uppon one of them.

The answere to the third and fourth articles.

1. The distaunce of miles is not to be mislyked, but the limitinge of the valewe is vnreasonable, and tendeth only to the impoverishinge of the mynisterye; beinge a state as worthe of lyvinge in many respecte, as others of other caulinge whatsoeuer, in respecte of their calinge.

2. The best giftes deserve the best rewards: and therfore it were better to make a lymitation, what degrees of schooles shall only be enhabled for the best lyvings.

3. Dignities, prebends and places in colleges (as before) are required by dispensation for lay menn. Here the Di-

BOOK II. vine is sett at his xl*l*. If a man would deale couertly to pull awaye religion, howe could he do it better?

The fifth article.

That noe Deane of cathedrall churche, Prebendarie, or other, havinge dignitie, shall haue more then one benefice with cure, besids his dignitie, &c.

The sixth article.

That noe one haue moe dignities or prebends then ii.

The answere to the fifth and sixth articles.

1. It is very vnreasonable, and tendeth to the same end with the third and fourth articles, and will discourage menn from the ministery, and make a beggarly Clergie, far vnapte to geue hospitalitie, or to do many other things required of them, and looked for at their hands.

2. It is alsoe very inconvenient. For most of theis dignitaries are decayed within theis last fifty yeres very muche: greater impositions for the service of the realme are layed uppon them: euery thinge to be required at double or treble pryce, in respecte of that which it was then at: and yet as great or greater hospitalitie looked for.

36 *The seventh article.*

That they which maie haue Chaplens shall advaunce noe more then their number, till the advaunced dye; or otherwise one of the ii benefices become voide.

The answere to the seventh article.

1. This is not to be mysliked, vnlesse the partie be otherwise qualified then by his chaplenshipp.

2. And yet inconvenience maie arise of it. For yf a Chaplen doe not behaue himselfe as appertayneth, noe reason he should be retayned in service: and it were hard not to allow another in suche a case.

The eighth article.

That none shalbe Chaplen enhabled to two benefices, vnlesse he be Master of Arte, or allowed by the Ordinary, as sufficient.

The answere to the eighth article.

It is very convenient.

The ninth article.

That none shalbe non-resident, but suche as be continually attendant in the houses of suche as they be Chaplens vnto.

The answere to the ninth article.

1. To be attendaunt the greater parte of the yere were sufficient. For the other parte of the yere, they maie be at their cure: and besides, some haue Chaplens which attend by course, which is very convenient.

2. This is very prejudiciall to grave menn, required for governmente in the Universities, which maie very well dischardge bothe duties.

3. This ouerthroweth residence in cathedrall churches, colleges, deaneries. So that they cannot be attendaunt there, excepte they will leave there benefice, thoughe it be but one.

The tenth article.

That they shall preache in person yerely two sermons, and four sermons beside, *per se vel per alium*.

The answere to the tenth article.

It is too too easie: it is requisite they should preache moe sermons, even in their owne persons.

The eleventh article.

Lastly, to consider whether it were not meete to abate the nombers of the Chaplens of Archbishops, and other under that degree, that maie by the statute keep more then one Chaplen.

The answere to the eleventh article.

It is not meete: for those of the Clargie that haue Chaplens allowed, the statute setteth downe a good consideration, and there are not many suche; besides it is looked for, that they should have preachers about them to furnishe the want that is in most dioceses.

The twelfth article. 37

That in cases of pluralities and non-residents, the Bishop shall haue the allowinge of the Minister that shall serue the cure in thabsence of the incumbent: and the stipend of the said Minister to be appoynted by the Bishop,

BOOK II.

accordinge to the sufficiencie of the Minister. So that the same stipend doe not exceade the thirde parte of the clere yerely valewe of the benefice.

The answere to the twelfth article.

This is very reasonable, and accordinge to lawe.

The thirteenth article.

There is one facultie of great inconvenience graunted, not only by the Courte of Faculties, but by the Chauncellor of euery diocese, vsed. The dispensation for marriage without banes askinge, by occasion whereof, children make disordered matches without the assent of their parents, and orphanes are lefte to the spoyle of vnthriftie persons.

The answere to the thirteenth article.

1. It maie be soe qualified that noe inconvenience shall ensue thereof.

2. Their be divers reasonable occasions that dayly happen, which maie hinder the thrise askinge of banes. Which causes are meete to be considered of, and allowed by the Ordinarie, or his deputie.

3. The inconvenience that is proposed, is in most dioceses already mett withall, by puttinge theis conditions in the facultie, *viz.* that they haue their governors consent; that there is noe sute for matrimonye dependinge; noe precontracte, nor noe other impediment which the partie is by a bond with suerties bounde vnto: soe that by this meanes this inconvenience is better mett withall, then by askinge the banes thryse; which maie be done, and yet theis impediments remayne.

4. And since the bonds haue bene qualified as is abouesaid, beinge about one twelue moneths past, experience dothe teache, that none of the pretended inconveniences haue happened.

A generall answere to all the articles of excommunication, commutation and dispensation.

Generally, this alteration, confusion and abridgement of exercise of that jurisdiction, will shortly decaye the profession of the canon lawe and civill lawe together. Whereby divers nowe are bred upp in learninge in languages and in

studye: soe that they are enhabled to serue the realme in any forrayne service, aswell as any one sorte of learned menn in the realme besides.

Number IV. 38

Peter Baro, Lady Margaret's Professor of Divinity, to the Lord Treasurer Burghley; for some augmentation of his livelihood.

Illustrissimo ac sapientissimo Viro, Domino Burleio, Summo hujus regni Thesaurario, dignissimoque Cantabrigiensis Academiæ Cancellario.

CUM Spartam quam hic authoritate ac suffragiis primariorum hujus Academiæ virorum, mihique amicissimorum, nactus sum, nullis parcens laboribus, exornare, jam totos sex hosce annos, coner ac contendam; hoc est, quum tuæ hujus Academiæ utilitati ac dignitati inservire pro viribus quotidie enitar; (præstantissime Domine) cumque me antè tanta cum humanitate, mensa etiam tuâ excipere dignatus sis: hac fretus bonitate, has ad te brevissimas literas scribere ausus sum: eas sperans tuæ Dignitati non fore ingratas. Quibus te imprimis quàm officiosissimè salutans, tuam etiam de meo hic statu memoriam refricarem. Audîsti enim prius a Doctore Perne qualis hic, et quàm tenuis mea sit conditio: imò, te hujus rationem habiturum, ac mihi prospecturum dixisti. Cui verbo quia confido, tibi in memoriam hoc revocare, ingratum non fore existimavi: ac siqua forte sese mei juvandi occasio offerat, eam tua erga me benevolentia effluere non sinat. Quid autem sit mihi commodum, id tua ipsius prudentia videre, et a Doctore Perne rescire facilius potest, quàm a meipso. Totum igitur hoc, meque adeo ipsum tuæ fidei, illiusque prudentiæ committens, Deum Opt. Max. oro atque obsecro, illustrissime Domine, ut te huic regno, Ecclesiæ, ac Academiæ, diu incolumem conservet, suisque bonis perpetuò cumulet. Cantabrigiæ xi. cal. Decembr. 1580.

Chap. ii. MSS. Burghlian. int. Epist. Acad.

Tibi observantissimus,

P. Baro.

BOOK II.

Number V.

Minutes of the Lords' letters to the Dean and Chapter of Litchfield: for the establishing a lecture of Divinity there.

Chap. iii. MSS. Episcopal.

AFTER our harty commendations. Whereas, by occasion of some matter of that church lately opened before us, we have understood there is lack of an ordinary reader, very requisite and commendable in al cathedral churches, both for the instruction of others, and conference among themselves, and good example to the rest of the dioces; and therefore a matter in our opinion requiring timely reformation, the state of that church considered; which is so wel endowed, and of so antient and rare privileges; whereby also, divers not so wel affected to the maintenance of your former estate have more just cause to impeach the credit of your antient government: we have hereupon thought good, for that care we have to supply such defects, especially in cathedral and collegiat churches, to move and require you the Dean, one to whom it doth principally be-
39 long, and other the Prebendaries, to have speedy consideration therof. That some convenient yearly stipend may be had by contribution proportionably, out of the dignities and prebends of your church, of 40*l.* at the least; for the entertainment of some able, sufficient person, learned in the tongues, and otherwise qualified for the place, to have continual residence there. For the better maintenance of which person attending that charge, we have a further disposition; that the annual stipend of 10*l.* or 12*l.* heretofore used to be allowed by her Majesty, for the preaching of three or four sermons, shalbe joyned to your foresaid contribution, to the encrease and advancement of his living.

And therefore, we are moved to recommend the speedy and effectual accomplishment of this so good a work to you al: which cannot but acknowledge, however by custom, prevailing against law, and your antient foundation, you may be excused from necessary residence, yet in conscience

and in al reasonable intendment, this is the least duty you are bound to perform to your cathedral church.

And for that we are informed every Prebendary is Ordinary in his particular church, and the Dean and Chapter over al generally, we require you further, to make choice of four of your whole company, best learned, and affected to religion, diligently to overview and examine al the Ministers throughout your jurisdiction, according to the last canons, who may certify under their hands the worthines and sufficiency of them every ways, unto your visitors, in the time of your visitation. That by their authority they may then be established or removed. To whom also you shal make true relation, what you have don in the premisses. That we eftsones may be advertised of al your and their procedings. And so we bid you hartily wel to fare. From the Court at Windsor, this 7. of Jan. 1582.

Your very loving friends,

T. Bromley Canc.	E. Lyncoln.	Jam. Crofts.
R. Leycester.	H. Hunsdon.	Chr. Hatton.
W. Burghley.	A. Warwicke.	Fra. Walsingham.
F. Bedford.	F. Knollys.	

Number VI.

John, Bishop of Wigorn, to the Lord Treasurer Burghley: for stay of the parsonage of Lugwarden, belonging to the church of Hereford, pretended to be concealed.

RIGHT honourable and my singular good Lord. I am informed by the Dean and Chapter of the cathedral church of Hereford, that there is some intendment to get from them Lugwarden parsonage, with the chapels annexed, under pretence that the same is conceled from her Majesty. And altho' they seem not to misdoubt of their title, yet they think they may by ways and means be greatly molested, if your Lordship be not good unto them, in staying such attempts. Therefore in behalf of the church, and in the respect of the good and necessary use that the said

Chap. iv. Int. Epist. Ep. Wigorn. penes me.

BOOK II.

parsonage and chapels are now allotted unto; I humbly beseech your Lordship to hear their petition, and to grant unto them your favour and help. Not that church only, but divers others are greatly impoverished, partly by unreasonable leases, and partly by other ways and means. So that they are not able to perform that which is looked for. And if they shal be further sifted, they wil come in the end to nothing: being now the chief and principal rewards that are left for learned Divines.

40 I am perswaded, that God wil the rather bless and prosper you in your doings, and add to his blessings wherwith he hath already blessed you, long continuance, if you wil take upon you the patronage of so good a cause. S. Ambrose calleth the goods and lands of the Church, the *patrimony of Christ;* and the wrong or injury that is don thereunto, he calleth an injury don unto Christ. And indeed so it is. Her Majesty is of such sincerity every way, and so wonderful and so marvailous a favourer of the Church and Church matters; that if she understood this and such like practices, she wil not consent therunto. God hath blessed her hitherto, and wil continue his blessings (no doubt) to the end, if she continue her graciousnes therin.

There is none with whom we of the Church either are or may be so bold as with your Lordship: neither is there any that may better make oure case known to her Majesty. And therefore we rest in you, and are bold to trouble you, having nothing to recompence your Lordship for the same, but our harty and earnest prayers unto God, which I know you lack not in men of our calling: nor shal ever want in me by the grace of God; being of al others most bound thereunto. And so I commit your Lordship to the tuition of Almighty God. From Grimley, the xi. of June 1583.

To your Lordship most bound,

Jo. Wigorn.

BOOK III. 41

Number I.

The congratulatory epistle of the University of Cambridge to the Archbishop; upon his advancement to the see of Canterbury.

Reverendissimo in Christo Patri, D. Joanni Archiepiscopo Cantuar. Academiæ Cantabr. Patrono benignissimo.

CUM nobis renuntiatum est de summo honoris gradu quo te nuper serenissima Princeps extulit, amplissime Præsul, sanè quam pro eo ac potuimus, maximam animis voluntatem cepimus. Idemque ut tibi et nostræ Academiæ honorificus ac salutaris foret D. O. M. precati sumus. Cum enim Academiæ nostræ salus atque gloria in bonarum literarum laude, ac literatorum gratia et authoritate ponatur, quid hominum Academicorum, aut animis debet esse gratius, quàm optimis alumnis literarum, secundissima quæque optare, aut auribus accidere potest jucundius, quàm pares optatis esse rerum eventus, audire? Quod quoniam in te (ornatissime Whitgifte) clarissimo quondam Academiæ nostræ Alumno, clarissimâ nunc dignitate aucto, fieri intelleximus, nihil nobis prius faciendum putavimus, quàm ut aliquam lætitiæ nostræ significationem daremus, et tibi hanc maximam honoris accessionem, tum tuo, tum matris Academiæ nomine, gratularemur. Quæ hoc ad laudem maternæ charitatis suæ pertinere existimat; ut in quo ornando semper primas tenuisset, in eo jam ornato cum primis gaudeat. Chap. i. Registr. Epist. Acad. Cantab.

In quo tamen paulo diversam a plurimis, quorum gratulantium vocibus circumsonant aures tuæ, rationem sequitur. Nam ut semper fuit veræ laudis studiosa, illaque omnia quæ habent speciem gloriæ, collecta inanissimis splendoris insignibus contemnens, verum decus in unâ virtute posuit; sic etiam nunc, non tam quia te summum Præsulem audit, lætatur, quam quod ea te facturum sperat, quæ sunt summo Præsule, optimoque suarum literarum

BOOK III.

Patrono dignissima. Novit enim tuum in literas propensum animum, et voluntatem sibi paratissimam: quam spectatam sæpius, semperque speratam, et hactenus summo studio complexa est, et deinceps perpetua laude prosequetur: idque eo magis, quod singulari Principis bonitate jam assecutus es, ut id maximè possis, quod ei semper antehac optimè voluisti.

Nunc enim (clarissime Cantuariensis) campum habes in quo virtus tua erga universam remp. et pietas in parentem Academiam excurrat latissimè. Habes adjunctam optimæ voluntatis tuæ æqualem ac pæne parem facultatem, quam quando complexus es, tene et perfice, ut ne minus Academia tibi, quàm tu Academiæ debeas. Quæ cum præsenti tibi, ut amantissima mater, omnes doctrinæ suæ laudes, omnia dignitatis ornamenta, non parcè aut modicè, sed prolixè cumulateque metiri voluit, videtur a te tantâ jam authoritate aucto, vicissim Hesiodeum illud a bonis laudatum, quasi suo jure posse repetere, ut pari mensurâ, vel multo etiam ampliore, amorem suum remetiare.

Nec tamen in præsentia ullius beneficii certum nomen petit, sed benevolentiæ tuæ, tanquam fidissimo custodi omnia sua committit, seque ipsam totam tradit tibi, de manu (ut aiunt) in manum illam tuam, fide et bonitate præstantem. In qua et firmissimum duris rebus præsidium, et amplissimum lætis ornamentum, sibi situm et constitutum esse confidit: in eaque fiducia jam conquiescit, D. O. M. precata, ut T. D. sibi, totique reip. quàm diutissimè incolumem servire, omnique benedictionis genere ἐν τοῖς ἐπουρανίοις exornet cumulatissimè.

Vale, Cantabrigiæ è Senatu nostro ad 3 calend. Octo. pridie festum Michaelis, anno Dom. 1583.

T. D. studiosissimi Procan. et reliquus Senatus Cantabrigiens.

Jo. Overal substit.

Number II.

A commission from the Archbishop, made to the Lord Bishop Suffragan of the see of Dover; to confirm children and confer Orders. 42

JOHANNES divinâ providentiâ Cantuar. Archiepiscopus totius Angliæ Primas et Metropolitanus, dilecto nobis in Christo, venerabili confratri nostro Richardo Rogers Episcopo Suffragan. sedis Dovor. nostræ Cantuar. diocesios, salutem, et fraternam in Domino charitatem. Ad catechizand. et confirmand. pueros quorumcunque subditorum utriusque sexus nostræ diocesios et provinciæ Cantuar. juxta morem et ritum modernos Ecclesiæ Anglican. in ea parte piè et salubriter edit. et ordinat. Necnon sacros diaconatus et presbyteratus ordines quibuscunque subditis nostræ dioc. et provinciæ Cantuarien. et aliis personis literas dimissorias suorum diocesanorum, et titulos sufficientes exhibentibus, si eas habiles et idoneos tam moribus et ætate, quàm etiam literatura inveneris: (super quibus conscientiam tuam coram Altissimo oneramus) nullumque alium legitimum eis in ea parte obsistat impedimentum; juxta et secundum morem et ritum Ecclesiæ Anglicanæ in ea parte piè et salubriter ordinat. et sancit. conferendos, ipsosque et eorum quemlibet ad humoi sacros ordines admittend. et promovend. cæteraque omnia et singula alia ad officium pontificale in præmissis, vel in aliquo præmissorum spectand. et pertinend. Et quæ in ea parte necessaria fuerint, seu quomodolibet requisita, fraternitati vestræ vices nostras committimus, et plenam in Domino tenore præsentium concedimus facultatem. In cujus rei testimonium sigillum præsentibus apponi fecimus. Datum in manerio nostro de Lambeheth undecimo die mens. Decembr. anno Dom. millessimo quingentess. octogessimo tertio, et nostræ translationis anno primo. Chap. iv. Registr. Whitg.

BOOK III.

Number III.

Contents of the Archbishop's sermon preached at the cathedral of St. Paul's, London, Nov. the 17. 1583, *being the anniversary day of Queen Elizabeth's coming to the crown.*

Cap. III. ad Titum.

Put them in remembrance to be subject unto principalities and powers, to obey magistrates, &c.

Chap. iv. MSS. Mich. Hickes, Eq. Aur. Domino Burghleio a secret.

FIRST, It is to be aunswered, Why the Apostle is so earnest to charge Titus, that he warn and preach to the people, that they be obedient to magistrates.

Secondly, That obedience is of necessitie: and that all Christians ought to obey.

Thirdly, Paul setteth down the notes and marks, how a man shal know such as are not obedient.

First, Why the Apostle is so earnest, &c.

Judas of Gallilee taught, that there ought to be no obedience, nor any magistrate. Whereby he drew a great company after him. The Scribes and Elders, hearing of this as a doctrine plausible, demanded of Christ, whether it were lawful to give tribute unto Cæsar, or no? And so afterwards grew to be a question in the Apostles time.

43 Therefore we see in their Epistles often exhortations to obedience; not only to masters by their servants, and children to their fathers, but also of al men to their magistrates.

If then this doctrin of obedience were so necessary in their time, when the Church was in her virginity, in persecution; and the Christians so few in number; how much more needful is it to be taught in these our corrupt days, so ful of disobedience: in the which they that preach obedience to princes are counted men-pleasers, and time-servers?

Therefore of these men it is forespoken by the Apostle; *In the latter days shal come mockers,* despisers of government, and such as speak il of men that be in authoritie.

S. Jerome writes of his time; *Quod non licet, cupimus, quod verò,* &c. Which never could be more truly verified

than of these our days: or when could ever that old proverb be better applyed to any time than ours, *Nitimur in vetitum.*

Therefore if Paul gave in charge to Titus to preach obedience, how much more need have our Bishops and Ministers to preach it to you?

The second part I have to entreat of, is the *necessity* of obedience. This necessity appereth by four manner of ways.

By the express commandment of God.

By the ordinance of God.

By the commodities that ensue of it.

By the plagues and punishments that follow disobedience.

1. The commandment of God is evident; by the first commandment of the second table: *Honour thy father and thy mother.*

Christ himself paid tribute; and left it as a perpetual rule to al, *Give unto Cæsar*, &c. *Let every soul be subject unto the higher powers:* and, *Obey those that are set over you*, saith his Apostle. And S. Peter, *Be subject to every humane ordinance for the Lord's sake.*

Rom. xiii. Hebr. xiii. 1 Pet. ii. 13.

Yee must needs be subject, saith S. Paul. *Oportet subjici.* Obedience is nothing indifferent: to be taken, or shaken off at our own plesure: but *for fear*, and for *conscience sake* also, as the same Apostle addes.

Rom. xiii. 5.

If this charge were made by the Apostles, when the magistrate was an infidel; and in the time of Nero, a cruel persecutor, how much more ought obedience be commanded now by us, and yielded by you, to a Christian magistrate, that saveth you from persecution?

2. It is the *ordinance* of God. The magistrate is appointed by God. He is his Vicar and Vicegerent. He giveth him his name, and title: *Vos dii estis:* I said, *Ye are gods.*

Dominus dat sceptrum, cui vult, et aufert: i. e. God gives the sceptre to whom he wil, and takes it away.

Per me reges regnant: i. e. By me kings reign.

BOOK III.

Prov. viii.

Promotion cometh neither from the east, nor from the west. God setteth up and pulleth down whom it pleaseth him.

The Devil said, when he shewed Christ al the kingdoms of the world, and the glory of them, *Fall down and worship me, and I will give thee all these.* But they are none of his to give, but, as Irenæus saith, *he lyed therein.* For he saith, *He by whom we have our birth, we have also our government and authority.*

Omnis potestas a Deo: i. e. Al power is of God. And therfore, whether the man be good or bad, he must be obeyed. To do ill comes from man himself, but his power is of God.

For the sin of the people, God setteth an hypocrite to reign over them: he chaungeth and translateth kingdomes. Irenæus saith, that God placeth princes according to the disposition of the people.

Bonus magistratus nutrix tibi, malus vero tentator, saith Augustin.

3. The *commodities* of obedience.

It makes us out of fear. If thou dost wel, thou needest not fear. The magistrate is appointed, saith S. Peter, for the encouragement of the godly, and for the punishment of the wicked.

44 Where no magistrate is, there is no surety of goods or life. Al ly open to spoyl: the weak oppressed by the stronger.

When there was no king in Israel, (which signified a time of confusion,) then every man did what he listed.

Better it is to have a tyrant reign over us, then to have no king at al; said Chrysostom.

A realm without a magistrate, is a choire without a chaunter, a ship without a pylot, a flock without a shepherd, an army without a captain.

Equality of persons engendreth strife; which is the cause of al evil. *Ubi multum imperium, nullus ordo: ubi nullus ordo, sequitur rerum confusio; confusionem destructio.*

[4. The *plagues* and *punishments* of disobedience.]

Long life is a promise to obedience. Therefore short life [is the reward] to disobedience.

Disobedience, by the old law, to the high priest, was punished with death. So also was it to the prince, or to the parents.

Corah, &c. disobeyed Aaron, and were swallowed up quick. Absolom, his father David, and was slain in battle: likewise Achitophel, [for disobedience to his king, came to an untimely end.]

Al stories, sacred and prophane, ecclesiastical and civil, do record and testify, that disobedience hath been always punished.

I have marked it my self in such places as I have come to, and had to do in, of long time; and it never yet fell out otherwise, but that such as were contentious and disobedient, either never came to be governours themselves, altho' they did earnestly desire it, or else have had the government of contentious persons [for their punishment.]

But albeit, peradventure they may escape temporal punishment in this world, yet they shal not escape eternal damnation, except they repent.

Jude pronounceth eternal woe to disobedience.

But some man wil here demaund of me, wherein obedience consisteth; and how far it reacheth. I answer, it consisteth in four points.

In doing: in praying: in honouring: in relieving.

[I. In doing.] Many now a days do profess and protest obedience in word, and in a generalitie, and give the magistrate cap and knee, but they wil not do that which they command. These men give *reverentiam subjectionis*, but not *obedientiam actionis*, as one saith. They say, and do not. As Christ said to certain that called him Lord and Master, *Why do yee cal me Lord, and do not the things I bid you?*

He that said, he would not do it, and yet did it, was more commended, than he that said he would do it, and did it not.

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A certain king said, *Ne dixeris mihi esse regnum, ubi leges meas transgressus eris:* i. e. Do not say, the kingdom is mine, when you transgress my laws.

Regnum amisit, qui obedientiam amisit: i. e. He hath lost his kingdom, that hath lost his obedience, saith another.

Rex est deserti, non regni, cujus populus non obedit: i. e. He is king not of a kingdom, but of a desert, whose people obey him not.

Chrysostom saith, People that have a prince, and do not obey him, are worse than they that have no prince.

But some wil say to me here: What? Shal we obey the magistrate in al things, without exception?

This question is common, and the answer easy, and without question. The commandments of magistrates, being not against the word of God, bindeth in conscience, and are to be kept upon pain of damnation.

In case where the magistrate commaundeth any thing against the law of God, answer with the Apostle, *Melius est obedire Deo, quam hominibus:* i. e. It is better to obey God, than men.

One saith, There is no power in man, either to commaund things which God forbiddeth, or to forbid things that God commaundeth.

45 The rule of obedience, that is betwixt the magistrate and the subject, holdeth betwixt the husband and the wife, the father and his child, the master and the servant. Therefore mesure thou the obedience to the magistrate, as thou wouldest they should perform it unto thee.

II. The second part of obedience is *prayer* for the magistrate.

The Apostle willeth us to make prayers and supplications for our princes.

When the children of Israel were led into captivity into Babylon, they were commaunded by the prophet to pray for the life of Nebuchodonozer.

In Tertullian's time, in the assemblies of the Christians, prayers were made for persecuting Emperors. How much

more ought we to pray for our Christian Prince; who hath redeemed us out of captivity, and set us at liberty?

Here are confuted the Pope's practices: that doth not only not pray for princes, but at his plesure curseth them.

Here also are confuted those that condemne our assemblies and meetings at this time, [*viz.* the 17. of November,] as a superstitious thing, in making a holy day of it.

Mardocheus, after the deliverance of the Jews out of the conspiracy of Haman, commaunded that day in the month Adar yearly should be kept holy, in remembrance of their deliverance. And there is none that can mislike that we do the like, in remembrance of our great deliverance, but such as maligne our estate, or are fantastical, whom nothing pleaseth, but that which they do themselves.

III. The third part of obedience to princes is *honour*.

It is said, My son, give fear and honour to whom it is due. This love and fear consisteth not onely in outward gesture, but also in the love and fear of the heart.

Where this love and fear is, commonwealths prosper and flourish and encrease.

The government of the Persians continued by these two.

And now lastly, I am to shew you, by what marks and tokens you shal know such as are disobedient.

And they be three sorts of persons especially: *viz.* Papists, Anabaptists, and our wayward and conceited persons.

The Anabaptists take obedience clean away. For they would have no magistrates at al.

The Papists restrain it, in respect of persons and causes. Christ was an ecclesiastical person, and the Head of the Church, and yet he was subject.

Omnis anima, &c. i. e. Let every soul be subject to the higher powers, saith the Apostle. This exempteth none.

Etiamsi Propheta, Evangelista vel Apostolus sit: i. e. Be he a Prophet, Evangelist or Apostle. Al are comprehended within this, to be subject to the higher powers.

Peter doth not exempt himself, but calleth the magis-

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trate the *most excellent person*[a]: therefore none is above him.

[a] ὑπερέχοντι 1 Pet. ii. 13.

And the Pope claimes from him: and therefore must be subject, as he was.

Tertullian, a Priest of Rome, said, We honour the Emperor next to God, above al other men.

The Emperor hath no peer on earth. He termeth him, *summitas in terra:* i. e. the heighth or top of al on earth.

Divers Popes, Bishops of Rome, have pleaded their causes, have received judgment, before Emperors: and have been deposed by them.

Wee give princes supremacy in ecclesiastical causes; but not to execute ecclesiastical functions; as to preach, minister the sacraments, or consecrate Bishops: as certain wayward persons affirme. It was never given by us to any prince, nor challenged by them.

Their office is to se God served, and honoured, and obeyed by their subjects. They have both the tables committed unto them. Kings are called nursing fathers, and Queens nursing mothers. Which were in vain, if they had nothing to do in the Church.

That the magistrates of the Old Testament had it, many Papists confess themselves.

46 Eleutherius Bishop of Rome, writing to Lucius King of England, calleth him *God's Vicar in England.*

The Emperors made laws touching the Trinity, festival-days, &c.

Nebuchodonozer made a law for the erecting of an idol: and afterwards made a law for the pulling of it down, and worshipping of the true God.

Princes serve Christ, in making laws for Christ.

Augustin saith, to certain that denyed the authority of the Emperor, "Why do you appeal to him? Why do you "make him your judge?"

But Popes now a days do not only deny obedience to Christian princes, but seek their destruction.

Pope Zachary dissolved the allegiance of the subject toward his prince.

Gregory deposed Henry IV. And when that would not serve, he sought to murther him, with a stone falling down in a church, where he sat.

Pascal procured the son to rebel against his father.

Alexander III. betrayed Frederic the Emperor to the Turk.

And what the Pope doth contrive now-a-days for the destruction of our gracious Sovereign, it is evident to al men.

The second sort are the Anabaptists; who wil have no government at al. And they ground their heresy upon the fifth to the Galathians, *Stand fast in the liberty wherewith Christ hath made you free.* And again, *You are called unto liberty.* But they mark not another place, where it is said by the same Apostle, *Take heed, that by your liberty you give not occasion to the flesh.*

This liberty which the Apostle speaketh of, is Christian liberty, which freeth us from sin, and not from subjection, except from the subjection of Satan.

This heresy, in short, of the Anabaptists is so evident, as it needs no confutation.

The third sort are these wayward and conceited fellows, who do not *condemn* magistrates, but *contemn* and dispise magistrates.

These men wil obey, but it is, what they list, whom they list, and wherein they list themselves. And al because they cannot be governours themselves.

These be those same *præfracti et superbi homines;* who are not ashamed to speak ill of such as be in authority. Jude forwarneth us of these; telling us, that *they separate themselves;* that *they are murmurers and complainers.*

Paul notes them to be lovers of themselves; to have an outward shew of godliness; and to go from house to house, and from table to table, especially to the houses of widows and simple women.

It is most truly verified of them, that Augustin said of such kind of men in his time, *Quod volumus sanctum est, et quando, et quamdiu volumus:* What we wil is holy, and

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when, and as long as we wil. I my self have known many things, that have not been holy [in their account,] that now are holy.

The Apostle sets down here two special marks of them. *viz.* that they be *slaunderers, evil speakers,* and *contentious* persons. By speaking evil and impugning laws, grows contention.

Men are naturally prone to speak ill of two kinds of persons; *viz.* of *Bishops* and *Magistrates.* The original cause is the Devil. For hereby he seeks to hinder the course of the word of God in the one, [*viz.* the *Bishops.*]

This hath been always in al ages the lot of Bishops, to be evil spoken of. Christ was called a *Samaritan,* and that he had a devil.

He doth not say, Which of you doth *accuse* me of sin, but, Which of you doth *convince* me of sin.

Paul doth not require of a Bishop, that he be unblamed, but that he deserve not to be blamed.

The same Paul willeth us not to receive nor believe any accusation against an elder, under two witnesses.

Basil complains, that in his time certain young men, seeking popular favour, did preach and inveigh against Bishops.

47 Chrysostom complained, that the state of Bishops in his time was worse than in the time of the Apostles. "For "they were but ill spoken of before great men and angels: "but we," saith he "are the talk of the people; yea, and "those of the worst sort. They talk of us in the streets, "at their tables, upon their ale-benches, and in plays "upon stages."

I my self may be counted a partial judg in this cause. And therefore I appeal to him that knowes the justnes of my complaint: and I summon, in the behalf of my self and my brethren, those blasphemous tongues, to aunswer before the judgment seat of God, where they shal receive a just reward of their blasphemous speeches, if they repent not.

[And they speak evil of magistrates as well as bishops.]

Thou shalt not speak evil of the prince of thy people: no not in thy secret chamber; (that is, in thy heart:) *for the birds of the air wil bewray thee.*

Mary, Moses's sister, murmured but once against him, and she was stricken with a leprosy. Thou daily murmurest again the lawful magistrates and ministers; and thinkest thou to escape punishment?

It was death by the old law, to speak ill of a man's father. And shal it not be eternal death, to speak ill of those that are preferred before father and mother?

It is said, *Cur sedens adversus fratrem tuum loquebaris?* i. e. Why dost thou sit and speak against thy brother? And, *Thou thoughtest I was such an one as thy self.* But *I wil reprove thee.* And shal we suffer them [without any reproof] to preach against magistrates?

The Devil disputing with Michael about the body of Moses, Michael gave him no rayling words. Thou art no archangel, [and dost thou rail?]

The Devil was *primus calumniator:* i. e. the first slanderer. It is said, *Smite not thy neighbour:* much less the magistrate. Al evil speakers are contentious persons. Contentious persons are disobedient.

S. Paul writes, *As long as there are contentions among you, are ye not carnal?*

Paul secludes a contentious person out of the Church. *If any man lust to be contentious, we have no such custom, nor the churches of God. Nomen Ecclesiæ, nomen unitatis et pacis,* saith St. Augustin: *i. e.* The name of the Church is the name of unity and peace.

Altho' a man hold al the Articles of Religion, and break the unity of the Church, he is not of the Church. Yea, albeit he have never so great a multitude of hearers at his sermons.

To divide the Church is as great a fault, as to fall into an heresy, saith Chrysostom.

And yet these men colour their contention, by the names of religion, faith and perfection. And so did the like men in old time before them.

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Ob modicas causas scindunt pacem Ecclesiæ, et corpus Christi: i. e. For slight causes they break the peace of the Church, and the body of Christ; saith one, of his time. Another saith, *Loquuntur pacem, &c.* i. e. Peace is in their mouth, but contention in their actions.

These be they, of whom Christ speaketh, *They straine at a gnat, and swallow a camel.*

Isti factiosi et superbi, (saith another;) *i. e.* Those are the factious and the proud. *Judicantes et condemnantes:* judging of, and condemning al other men, but themselves; saith the glory of the world, Nazianzen.

Yet these men have many favourers and followers too; because they colour their doings, as I said, with the titles of faith and perfection.

I speak that which I know, and wil justify; and am able to bring many examples of: that, amongst other causes, this is one, and not the least, that so many have revolted from the Gospel. *Regnum divisum,* &c. saith our Saviour: *Every kingdom divided against itself, cannot stand.*

Nazianzen compareth the Church, thus troubled with contentious persons, to a ship tossed upon the sea with boistrous winds and waves. Whereby it is in peril to be overwhelmed.

Jerusalem may be another example and pattern to us, what are the fruits and effects of contention; what a broad gap it openeth to al kind of mischief and inconvenience.

48 Therefore, I beseech you in the bowels and for the love of Christ, leave off this contention: *et diligite invicem:* i. e. and love one another; as Christ commandeth those, that are his servants and disciples. *Et pacem habete invicem:* i. e. And have peace one with another.

Pacem meam do vobis: i. e. My peace I give unto you, said Christ to his Apostles. And at his farewel, *Pacem meam relinquo vobis:* i. e. My peace I leave with you.

If any man have been contentious heretofore, let him

not be ashamed now to give it over. *It is honour*, saith Solomon, *to depart from contention.*

I say to you with our Apostle, *If there be any comfort of love, consolation of the Spirit, or mercy ; fulfil my joy ; that yee be like-minded, of one accord and judgment.*

Let every man think and esteem better of another man, than of himself. Charitas non quærit sua : i. e. Charity seeketh not its own ; but another mans.

Let these exhortations of the Apostle move you to peace. Let the commodities that follow it allure you. Let the plagues and punishments that ensue contention, cause you to give it over.

And finally, let us provoke one another to love and peace, because the days are evil, and the time short. And so shall our God, the author and giver of al peace, bless us with it in this world, and with an everlasting peace in the world to come. *Amen.*

Number IV.

49

Apud Lamhith. May. 1584.

Articuli sive interrogatoria objecta et ministrat. ex officio mero C. D. Rectori, &c. coram Rev^mo. Patre Johanne Cantuar. Archiepiscop. C. M. D. G. &c. Commissariis et Delegatis regiæ Majestatis ad causas ecclesiasticas per literas patentes magno sigillo Angliæ rite et legitime fultis ad omnia infrascripta, &c.

1. *INPRIMIS objicimus, ponimus, et articulamur,* That you are a Deacon, or Minister and Priest admitted : declare by whome, and what tyme you weare ordered ; and likewise, that your orderinge was accordinge to the booke in that behalf by lawe of this land provided. *Et objicimus conjunctim de omni, et divisim de quolibet.* Chap. iv. MSS. Whitgift.

2. *Item objicimus, ponimus, et articulamur,* That youe deeme and judge such your orderinge, admission, and callinge into the ministerie to be lawfull, and not repugnant to the word of God. *Et objicimus ut supra.*

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3. *Item objicimus, ponimus, et articulamur*, That youe haue sworne aswell at the tyme of your orderinge, as institution, dutie, and allegiaunce to the Quenes Majestie, and canonicall obedience to your Ordinarie, and his successor, and to the Metropolitane, and his successors, or to some of them. *Et objicimus ut supra.*

4. *Item objicimus*, &c. That by a statute or act of Parliament, made in the first yere of the Quenes Majesties reigne, that nowe is, one vertuous and godly booke, entituled, *The Booke of Common Prayer, and Administration of Sacraments, and of other rites and ceremonies in the Church of England*, was authorised and established, to stand and be from and after the feast of the nativitie of St. John Baptist, then next ensuinge, in full force and effect, accordinge to the tenor and effect of the said statute, and so yet remaineth. *Et objicimus ut supra.*

5. *Item objicimus*, &c. That by the said statute, all and singular Ministers within her Majesties dominions, ever since the said feast haue bene, and are bound to saye and vse, a certeyne forme of morninge and eveninge prayer, &c. called in the act, the Mattens, Even-song, Celebration of the Lordes Supper, and Administration of eache of the Sacraments, and all other common and open prayer, in such order and forme as is mentioned in the said booke, so authorised by statute, and none other, nor otherwise. *Et objicimus ut supra.*

6. *Item objicimus*, &c. That in the said statute, her Majestie, the Lords temporal, and all the Commons in that Parliament, assembled, doe in Godes name earnestly chardge and require all the Archbishoppes, Bishopes, and other Ordinaries, that they shall endevoure themselves, to the vttermost of theire knowledge, that the due and true execution of the said act might be had throughout theire diocesse and chardges, as they wold aunswere before Almighty God, &c. *Et objicimus ut supra.*

7. *Item objicimus, ponimus, et articulamur*, That you deeme and judge the said whole booke to be a godly and a vertuouse booke, agreable, or at the least not repugnant to

the word of God; yf not, wee require and command you to declare wherein, and in what pointes. *Et objicimus ut supra.*

8. *Item objicimus*, &c. That for the space of theise three years, two yeres, one yere, half a yere, three, two, or one moneth last past, you haue at the tyme of communion, and at all or some other tymes in your ministration, vsed and worne onely your ordinarie apparel, and not the surplesse, as is required; declare how longe, how often, and for what cause, consideration, or entente youe haue so done, or refused so to doe. *Et objicimus ut supra.*

9. *Item objicimus*, &c. That within the tyme aforesaid, you haue baptized divers, or at the least one infant, and haue refused to vse, or not used the signe of the crosse in the foreheade, with the words in the said Booke of Common-Prayer, there prescribed to be used. Declare how manie you haue so baptized, and for what cause, consideration, and intent. *Et objicimus ut supra.*

10. *Item objicimus*, &c. That within the tyme aforesaid, you haue bene sent unto, and required divers tymes, or at the least once to baptize children, or some one child beinge verie weake; and haue refused, neglected, or at the least so longe differred the same, till such children or child died without the sacrament of Baptisme; declare whose child, when, and for what consideration. *Et objicimus ut supra.*

11. *Item objicimus*, &c. That you haue, within the tyme aforesaid, celebrated matrimonie, otherwise then is by the said booke prescribed, and without a ringe, and haue refused at such tymes to call for the ringe, and to vse such wordes in that behalf, as the said booke doth appoint; and also refused to vse theis wordes; that by matrimony is signified and represented the spiritual marriage and unitie betwixt Christ and his Church: declare the circumstances of tyme, person, and place, and for what cause, intent, and consideration. *Et objicimus ut supra.*

12. *Item objicimus*, &c. That youe haue within the tyme aforesaid, neglected, or refused to vse the forme of thanksgivinge for weomen, or some one woman after child, both

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accordinge to the said booke. Declare the like circumstaunce thereof; and for what intent, cause, or consideration you haue so done, or refused so to doe. *Et objicimus ut supra.*

13. *Item*, We haue objected, &c. That you within the tyme aforesaid baptized divers infantes, or at the least one, otherwise and in other manner then the said booke prescribeth, and not vsed the interrogatories to the god-fathers and god-mothers, in the name of the infant, as the said booke requireth. Declare the like circumstances thereof, and for what cause, intent, or consideration, you haue so done, or refused. *Et objicimus ut supra.*

14. *Item*, We doe object, That you haue within the tyme aforesaid, vsed anie other forme of Letanie, in diverse or some pointes, from the said booke, or that you haue often or once whollie refused to vse the said Letanie. Declare the like circumstances thereof, and for what cause, intent, or consideration you haue so done, or refused so to doe. *Et objicimus ut supra.*

15. *Item*, We doe object, &c. That you haue within the tyme aforesaid, refused, and omitted to reade divers lessons prescribed by the said booke, and haue divers tymes, either not redd anie lessons at all, or redd others in their places. Declare the like circumstaunces thereof, and for what entent, cause, or consideration you haue so done, or refused. *Et objicimus ut supra.*

16. *Item objicimus*, That within the tyme aforesaid, you haue either not used at all, or els vsed another manner of common prayer or service at buriall, from that which the said booke prescribeth, and have refused there to use these wordes: *We commit earth to earth, in sure and certeine hope of resurrection to eternall life.* Declare the like circumstaunces thereof, and for what entent, cause, or consideration, you haue so done, or refused so to doe. *Et objicimus ut supra.*

17. *Item objicimus*, &c. That within the tyme aforesaid, you haue advisedly, and of sett purpose, not onely omitted and refused to use the foresaid partes, or some of them

of the said booke; but also some other parts of the said Booke of Common Prayer, as being persuaded, that in such pointes it is repugnant to the word of God. Declare what other partes of the said booke you haue refused to vse, for what intent, cause and consideration. *Et objicimus ut supra.* 51

18. *Item objicimus*, &c. That within the tyme aforesaid, you haue at the Communion, and in other partes of your ministration, advisedly added unto, dimynished, and taken from, altered, and transposed manifoldly, at your own pleasure, sundrie partes of the said Booke of Common-Praier. Declare the circumstances of tyme, and place, and for what intent, cause, and consideration. *Et objicimus ut supra.*

19. *Item objicimus*, &c. That within the tyme aforesaid you haue advisedly and of sett purpose preached, taught, declared, sett downe, or published by writinge, publique or private speeche, matter against the said Booke of Common Praier, or of some thing therein conteined, as being repugnant to the word of God, or not convenient to be used in the Church: or some thing haue written or vttered, tending to the depravinge, despising, or defaceing of some thinge conteined in the said booke. Declare what, and the like circumstances thereof, and for what cause or consideration you haue so done. *Et objicimus ut supra.*

20. *Item objicimus*, &c. That you at this present doe contynue all or some of your former opinions against the said booke, and haue a setled purpose to contynue hereafter such additions, demynutions, alterations, and transpositions, or some of them, as you heretofore vnlawfully haue vsed in your publique ministration: and that you haue vsed private conferences, and assembled or byn present at conventicles, for the maintenance of your doings herein, and for the animatinge and encourageinge of others to contynue in the like disposition in this behalf, that you are of. Declare the like circumstaunces, and for what intent, cause, and consideration. *Et objicimus ut supra.*

21. *Item objicimus*, &c. That you haue bene heretofore

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noted, defamed, presented, or detected publiquely, to haue bene faultie in all and singular the premisses, and of everie or some of them; and that you have bene divers and sondrie tymes, or once at the least, admonished by your Ordinary, or other ecclesiasticall magistrate, to reforme the same, and to observe the forme, and order of the Booke of Common Praier, which youe haue refused, or deferre to doe. Declare the like circumstances thereof. *Et objicimus ut supra.*

22. *Item,* That for the testification hereafter of your unitie with the Church of England, and your conformitie to lawes established, you haue bene required simply and absolutely to subscribe with your hand: that her Majesty, under God, hath and ought to haue the soveraigntie, and rule over all manner of persons, borne within her realme, dominions and countries: of what state, either ecclesiasticall or temporall, soever they be, and that none other foreigne power, prelate, state, or potentate, hath or ought to haue anie jurisdiction, power, superioritie, prehemminence, or authoritie ecclesiasticall or spiritual, within her Majesties said realmes, dominions or countries.

That the Booke of Common-Praier, and of orderinge Bishopps, Priests and Deacons, conteyneth in it nothinge contrarie to the word of God, and that the same may lawfully be vsed; and that you who doe subscribe, will vse the forme in the said booke prescribed in publique praier, and administration of the sacraments, and none other.

That you allowe the booke of Articles of Religion, agreed upon by the Archbishopps and Bishopps of both provinces, and the whole Clergy in the Convocation, holden at London, in the yere of our Lord God 1562, and sett forth by her Majesties authoritie; and doe beleve all the Articles therein conteyned to be agreeable to the word of God. Declare by whom, and how often; which hitherto you haue advisedlie refused to performe, and so yet doe persist. *Et objicimus,* &c.

23. *Item,* That you haue taken upon you to preach, read or expound the Scriptures aswell in publique places

as in private howses, not beinge licensed by your Ordinary, nor anie other magistrate, havinge authoritie by the lawes of this lande so to license you; declare the like circumstances hereof. *Et objicimus ut supra.*

24. Item, *Quod premissa omnia et singula*, &c.

Number V.

Some poynts in Mr. Beales booke, exhibited to the Archbishop of Canterburie: and the absurdities and inconveniences which followe thereof.

HE saieth, "Others doe abuse her Majesties stile of "*Fidei Defensor;* who doe principally extende that au- "thoritie, in steede of faithe, to be a defendresse of beg- "gerlye, popishe, and antichristian rites and ceremonies, "*quæ* fidem *impediunt et destruunt.*" Chap. v. MSS. Whitgift penes me.

But none doe extend her Majesties authoritie for defence of any ceremonies or rites, but suche as this Church of England, by law, hath receaved: therefore, hereupon it will followe, that, in his judgment, the ceremonies of this Churche are beggerlie, popishe, antichristian, and suche as hinder, yea, destroye faithe.

He goeth about by this *postulatum* (*That two jurisdictions cann not be united together*) to prove, *that the law may not autorise Bishoppes, to make lawes for rites or ceremonies in the Churche.* And though this collection followe not, (seinge to ordeyne and make ceremonyes is a parcell of ecclesiasticall jurisdiction) yet this principle (if it were true) would overthrowe the Queenes Majesties authoritie in causes ecclesiasticall, she beinge also a civill magistrate.

In diverse places, he playnelye insinuateth the Booke of Common Prayer not to be established by law: as where he concludeth; "that manye thinges beare the cloake and "coloure of law, which are not law, and haue bene and are "obtruded as law:" wherevpon also (he thinketh) "many

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" simple and good men to haue bene condemned and " punished contrary to law."

To that, this generalitie of wordes will include, that Papists also haue bene condemned contrarie to law, if the booke be not by lawe, 1 Eliz. established: which thinge he resolutelye concludeth, that it is not; though vntrulye, and by meere fallation he so gathereth.

He devideth well and trulie all thinges " into absolutelie " good, *viz.* suche as be commaunded by Gods worde; and " into absolutelie badde, *viz.* such as be forbidden by Gods " word; and into thinges indifferent of their owne nature."

But he restrayneth the wordes of the Apostle, 13. Rom. for obedience unto magistrates (*non solum propter iram, sed propter conscientiam*) unto such thinges onelye as be absolutelye good, and commaunded by Gods word, and denyeth them any place in thinges of theire owne nature indifferent: in which thinges they especially have place, not by chaunging the nature of the indifferent thinge, but by makinge it not indifferent *quoad usum*, so longe as it is commaunded.

" In indifferent thinges; *Multa sæpe non facienda, quæ* " *lex imperat:*" thereupon it followeth, that magistrates maye commaund; but subjects oftentymes in suche thinges as are commaunded may doe as they list.

" No law positive whatsoeuer, (sayth he) canne haue " more authoritie then the law of Moises had, concerninge " the observation of the sabboth and circumcision: which, " neuertheles, was to be kept, or not kept, as the rule of " charitie did require."

Hereupon it followeth, that he thinketh no man is bound to keep anye positive law of prynces, vnless he be persuaded, that it be accordinge to the rule of charitie.

53 He saith, that " whensoeuer thinges indifferent are " abused, they ought to be abrogated." Then is it not lawfull for anye magistrate to force his subjects to vse that rightlye, which they haue abused? But all suche thinges must be cleane taken awaye, and no more vsed.

He saith, that " the yoke of papisticall ceremonies ought

" not to be laid vppon anye against theire willes:" whereby it appeareth, that he accompteth the ceremonies of the Churche of England a yoke of papisticall ceremonies, and that the Prynce hath not authoritie to commaund the vse of them to any against his will.

He saith, that " the ordinaunce made by the Apostles, " Acts xv. proceeded from the Holye Ghoste, and persons " of greater authoritie then anye Counsell, Parliament, " Prince, or Prelate euer since had; and yet was without " anye speciall reuocation abrogated by the rule of cha- " ritie."

By this it seemeth, he would conclude, that no speciall revocation needeth for anye law made of thinges indifferent, but that the rule of charitie teacheth everie one, how longe he should observe suche lawes.

He saith in the same place, " Where *testimonium Spiri-* " *tus Sancti* is, rites are not to be exacted, but left to the " libertie *Spiritum habentis:*" wherevpon it necessarilie followeth, that no commaundement must be layed vppon hym, that hath the Spirit, to observe anye rite.

" *Quod vult faciat, modò in Domino*, &c. To teache " otherwise concerninge marriage, or the use of suche " thinges which the Lord hathe made indifferent, is devil- " ishe doctrine." He is therefore here of opinion, that to commaund any indifferent thinge as necessarie, is devilishe, not distinguishing betwixt that which is made necessarie to salvation, and that which is made necessary only for order and decency, or *quoad usum*.

He sayth, the *minor* is false. " *Quoad contra fidem est,* " *est contra sacras literas*. But *contra fidem est*, if in in- " different thinges necessitie be layed, and God hath not " established a mans conscience to vse the same: there- " fore it is *contra sacras literas*, to commaund any indiffe- " rent thinge unto a man, whose conscience God hath not " established to doe that which is commaunded."

He goeth about to prove, " that they extend the autho- " rity of the magistrate further then by the worde of God " it shoulde be, which saye, that the judgement of the

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" rule of charitie, touchinge the using of indifferent thinges, " dooth consist in the magistrates, and should not be left " to the particular conscience of euerie man."

He saith, " That a magistrate may restrayne excesse and " vanity in apparell: but if he should goe about to bringe " it vnto a certen forme, the vse whereof might be offen- " siue to a Christen mans conscience, then shoulde he ex- " ceede his authoritie."

Because the Apostle will have obedience for conscience sake, he concludeth, that therefore " no thinge indifferent " must be commaunded, that is against the conscience of " anye, for then no trew obedience is sought."

He is persuaded, " That the ordinaunces of such cere- " monies which are prescribed to be necessarilye observed " in this Church, haue not bene made accordinge to the " rule of charitie and edifieng; and therefore, (he thinketh) " them vnlawfull, and that the partie which, with a good " conscience, refuseth to obserue them, committeth no dis- " obedience, nor offendeth anye law."

He taketh vppon hym to confute the Articles latelie sett downe by her Majesties consent, for the reforminge of diverse abuses, and reteyninge of unitie in the Churche: he fighteth in manye thinges with his owne shadowe, and descanteth of them at his pleasure.

He vseth the same reasons against the Book of Common Prayer, which the rest doe, that refuse to subscribe therevnto.

54 His whole booke, as it is without methode and order, so is it grounded vpon false principles, and argueth, that he hath redde somethinge, but lacketh bothe the arte of logick and rhetorick. His chiefest eloquence consisteth in intemperate and vncharitable speeches, whereof there is no want.

Number VI.

Mr. Beal's letter to the Archbishop, vindicating himself from something laid to his charge by the said Archbishop.

IT may please your Lordship, havinge considered of suche matters as your Lordship charged me with, at my last beinge with you, to be malapert, a maynteyner of disorders, a mocker of preachers; albeit, I would gladlie have passed them over in silence, with an intention never to have troubled your Lordship agayne; yet findinge them to touche my creditt verie muche, I could not leave them vnanswered in writinge: to the intent that your Lordship myght consider of the same at leysure, committinge the successe vnto the Lorde, who knoweth the singlenes of my hart and meaninge. Chap. vi. MSS. Whitgift.

First, Touchinge malapertnes and pride. I dare boldelye avouche, that my behaviour at home and abroade, with high and lowe, hath bene suche, as no man can justlie charge me with such faults: and if I had bene suche a one, surelye, I have passed amonge men manye yeares of probation: it would have bene perceaved before this. But seinge it hath not bene objected vnto me by anye; but I dare as boldlye stand vppon the honestie and integritie of my behaviour, as anye Clergie man in England whatsoever, and have bene as little an intermedler as anye other of my callinge: I doe the lesser weigh these your Lordships wordes, especiallie seinge I remember, that when as in the last session of Parliament, the Lower House pressed a reformation of sundrie disorders, yet remayninge in the Churche, your Lordship, in like sorte, in generall charged the whole House with such malapertnes, as though it become them not to deale with their betters; when as indeede nothinge was spoken vndecently and vncomely, as was then answered by some honourable persons of the House, if it please your Lordship to call the matter to remembrance. But when thinges canne not be annswered in learninge, nor justified by law, then is it common wont to charge men with mala-

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pertnes, as though, the Spirit of God and all learninge consisted onely in some few, and apperteyned nothinge vnto anye others, which must be ledde as buffells by respect of persons, and not the veritie of Gods truth, as was the custome in Poperie. Which it greeveth me to see to encroche so muche as it doth, and will doe, if better order be not speedelie taken. When I deliuered your Lordship the writinge, I did it vpon promis to have it agayne to finishe it, and to be better persuaded by some annswer by your Lordship; and accordinge to the Christian rule of St. Augustine desired, that *res cum re, ratio cum ratione concertaret.* But to that which I did in eight dayes, I can see noe annswer in eight weekes, more then *ipse dixit:* no Scripture, no law: and when a Christian toleration is sought for, and vrged, I am thought *malepert.* Well I may beare suche wordes, when (as I am crediblye enformed) Calvin, Beza, Junius, and the ministers of Scotland, men nothinge inferior to your Lordship in learninge, have had as evill or worse.

Touchinge the accusation intended to be made of me to her Majestie, I can saye, that I have abroade and at home served without blame or spott these xii yeres: I would to God that all Bishops could saye the like: and I thank God, I am able to serve in my callinge, aswell as most of the Clergie men are in theirs. I know the estate of Churches abroad and at home aswell as any of them: and touching this cause, I dare boldely saye, that I have studied, and am able to saye as much in it as your Lordship; or any other can: yea, seeinge heretofore your Lordship confessed to me, that you had never seene the bookes of Kinge Edward, wherevpon the lawfulnes of the booke now vsed consisteth, I thinke that I had, in that respect, better considered of them, then your Lordship did. Well, my Lord, I am able to performe as much as was conteyned in the title of my booke, and will refuse no indifferent and learned judges. I haue redde your Lordships greate booke, and diverse other vnlearned and foolishe pamphletts, made for the defence of that cause: wherein I offer, vppon the hazzard of my life, to shew manifest grosse absurdities, falshoods, misconstru-

inge of scriptures, and impertinent allegations of the Fathers, after the Popish manner, as Stapleton, and others, haue trulie written of them: and when I shall see my booke trulie answered, and better matter then hitherto hathe bene published; I am not so malepert, or obstinate, but I will geve place to truthe, and in the meane tyme your Lordship must pardon me, if I be not by the nose ledde with anye Pythagorical or Papall *ipse dixit*, knowinge, as I knowe, the writinges and vse of the best learned men in Europe, to be to the contrarie. If in myne absence I be charged, I desire that my true originall coppie, (which your Lordship hath) may be produced, and particularlye answered, which I assure my self canne not be: and if I have done amyss, then I submitt my self to any punishment. But when her Majestie (who will respect more matter then wordes) shall vnderstand so much, I doubt not but I shall, in consideration of my service past and to come, be better considered of then discredited vppon anye simple reports. And truly, my Lord, my good will in furtheringe some of your causes, when you first came to this place, besides that, I am her Majesties servant, deserved another kinde of enterteynment. It is truth, your Lordship is greate, and to be reverenced: but *major est veritas*, and *maximus est Christus, cujus causa agitur*. I see the preachinge of his blessed worde is little regarded, the people is vntaught, the gentlemen knowne to be best affected to God and her Majestie are therewith greived, the adversary to them both is comforted, *Poperie* and *atheisme* (as your Lordship by a late accident knoweth) encreaseth: our enemyes abroade, which doe attend any opportunitie, annoye vs, are likelie to laye holde on this opportunitie to woorke theire mischiefe. And therefore, as hitherto the rigorous execution of these thinges hath bene in a sorte (in respect of the necessitie of the estate) qualified and suspended; so most of all (circumstances being dulie considered) ought it to be now. For howsoever small my learninge and other gifts seem to your Lordship to be; trulie in knowledge of the estate (without pride) I thinke my self inferior to never a Prelat in this realme.

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The experience of my place hath taught me somewhat, and my beinge abroade, and endevour by readinge, and otherwise, to come to knowledge of these matters, is equall with anye of theirs. And therefore I dare with a good conscience to God and her Majestie saye, that suche is this estate now, that if these proceedings goe so forward, as they haue begun, both the Churche and the estate of the whole realme will receave greate prejudice and hurt thereby, whatsoever your Lordship thinketh otherwise.

But forsooth, the Ministers would haue yeelded, if they had not bene encouraged to stand out. It is an easie thinge to charge a man in generalitie, but particular proof must condemne hym. And to this I say, that if it can be prooved, that I haue counselled any one of the Ministers that hath come vp to stand in the cause, but haue advised manye of them, by all humble and dutifull meanes to seeke theire relief at your Lordships hands; then will I be contented to submitt my self to anye punishment that her Majestie shall lay vppon me.

Concerninge my mockinge of sermons, I make the same answer: lett me be charged with particular matter, and if I doe not sufficientlie annswer it, let me abide the payne. I know the Bishopp that would haue had your Lordship to complayne of me to her Majestie, was angrie with me, for sayinge, that his sermon was a good sermon for a Bishop: I know not well whether I said the wordes or no: but this dare I avouche, that some of his sermons before her Majestie were suche, as Prynce, Counsellers, and all the rest
56 of the auditorie departed with very evill satisfaction, yea, derision of his doinges. The like can I saye trulie of others, and of your Lordships Chapleyne, that preached in the Court 8 Martii last, that havinge devided his text into foure severall partes, of the temptations of Christe, never touched anye of them, but foolishlye entred into other by and impertinent matters: and what the opynion of those of her Majesties Counsell, and the Lord Bishop, that then was present was, your Lordship may vnderstand from others. If falselie and imprudently they alledge and surmise thinges

whiche are not founde so, maye they not be misliked and tolde of it? Is not this to reduce the Laitee to the Popishe ignorance? May wee not prove the spirits, and discern of them? Are wee onely beasts, and is the Spiritt of God and his good gifts onelye bestowed vppon suche as are termed of the *Clergie?* Surely, seinge I seem in your eyes to be so base and contemptible, and vnmeete and vnworthy to deale in these causes, let me, without arrogancy, saye somewhat for my self. First, for my knowledge of the estate or the Churche abroade, and the learned men which haue bene of late yeres; it is not inferiour to any Bishop or Clergie man in England.

Touchinge my studies, I have by the space of xxvi yeres and vpwards bene a Student of the Civill Lawes, and long sith could have taken degree, if I had thought, (as some doe) that the substaunce of learninge consisteth more in forme and title, then matter: and albeit, for lacke of vse, my skill be impayred; yet would I be lothe that the greatest Doctor that is about your Lordship could so teache me what lawe is, but that, with a little studie, I could discerne, whether he saye trulie or no. In *divinitie*, I think, I haue redde as much as anye Chapleyne your Lordship hathe: and when my booke shalbe finished, and annswered, let others judge thereof. I trust it shall appeare, that it is not made by *indices*, or *registers*, or *collections*, and *rapsodies* of others, but trulie and soundelye grounded vppon the veritie of Gods booke, and custome of the pure, auncient and Christian antiquity. As for *Poperie*, I haue detested it, and do still, *idque perfecto odio*, as the Psalme saith: I fear the relapse of this realme into it, whereof my conscience persuadeth me, that these actions are forerunners: and it grieveth me not a little, to haue probablye heard, that the traytor Throgmorton, sith his committment to the Tower, hath, amonge all the rest, commended your Lordship to be the onely meetest Bishop of this realme, and added, that both his father and he were muche beholding vnto you. The rest of that crew haue conceaved the same opynion and courage, not without cause. For Poperie is left un-

BOOK III.

touched, or findeth more favour: and those that instruct the people to beware of them, are put to silence, so as the woolfe may enter and make havocke of the flock at his pleasure. The consideration of these thinges, which are trew and manifest, is lamentable, and the matter is to be looked vnto, and reformed in tyme, least hereafter it growe to a further and remediles inconvenience. I haue discharged the parte of a Christian man, and dutifull subject to her Majestie, to foretell your Lordship of these thinges, and to beseeche you, for the necessitie of the tyme, to suffer the Churche to enjoye that peace, which it did at your cominge to that place. So shall your Lordship be *acceptus et Deo et hominibus*. If you doe otherwise, my conscience forceth me to tell your Lordship playnlye, *in libertate Spiritus Dom. Jhesu, te non incedere recto pede, prout convenit veritati Evangelii, et saluti hominum regni*. And so must the *væ* of the Lord come vppon them, *per quos offendicula venerint*, and that shall vse the authoritie which is geven them *ad ædificationem, ad destructionem*. The Lord Jhesus geve vnto your Lordship a true love and compassion of his Church, that *coram tremendo tribunali ipsius, ubi potentes potenter punientur*, you may geve a good accompt of the feedinge of his shepe, which beinge bereft of their good shepwardes, doe want foode, and are like to dye, both bodye and soul, the penaltie whereof *irremissibiliter* will be exacted at your Lordships handes.

I am presently dispatched from her Majestie toward the Scottishe Queene: wherein I beseeche the Lorde to grant me suche successe, as may be for the benefit of his Churche, and her Highnes honor and contentment. But by the way, I must tell your Lordship, that she liketh very well of your Lordships proceedinges against the Puritanes, whome she
57 accompteth her mortall enemyes, and alloweth better of the order that is ment to be established by your Lordship in this Church, then she dooth of the Churches in Frannce or Scotland, for that here lacketh nothinge, but onely the settinge vp of the Masse agayne. If this be true, (as I can assure your Lordship it is) what are they then that are the

Quenes Majesties trew servaunts and friends? Besides the wordes which are reported to haue bene vsed by your Lordship against the Churches of Scotland, it is vehemently suspected, that the Archbishop of St. Andrewes is latelie departed hence with such an approbation of our rites here, as carrieth with it a condemnation of the forme vsed there. Whereon it is not vnlike, but at the first some holde wilbe taken, to the greate disadvantage of the Churche. And if that happen, as I verilie thinke it wilbe attempted, what accompt of fidelitie or friendship towards her Majestie, and this estate, can be reposed in others? These be the frutes of these proceedings, derogatorie to the glorie of God, and advancement of his word, and like to bringe greate inconveniences both abroade and at home. The Lorde open your Lordships eyes, that you may see unto them, and prevent the daunger in tyme. I haue discharged my dutie, and will not be guiltie of the ruines to come: howsoever by service my daunger may be sooner, then of those that are and wilbe the chiefest causes and instruments of it. I beseech your Lordship to accept this admonition, as proceedinge of a Christian zeale, of one who standeth upon an assured foundation of learninge and lawe, vntill that parte of my booke delivered vnto your Lordship shalbe in other sorte particularly aunswered, then it hath bene hitherto in woordes onelie, which I presume your Lordship and all your Chapleynes are not able to doe, and yet the larger and most learned and forcible part thereof remayneth behinde. Concerninge my self, in respect of Gods truth, and preservation of Christes Churche, and defence, and suretee of her Majestie, and her estate, I passe nothinge what worldlye displeasure your Lordship may bringe me into by sinister informations.

This (I take the Lorde of heaven and earth to recorde) proceedeth not of pride, as your Lordship hathe vncharitablye charged me: the tree is to be knowen by the frutes, and so may it be discerned by indifferent persons, whether parte is trulie guiltie of that cryme, or no; either they that

BOOK III.

by all humble writinges and speaches seeke the benefitt of the Churche, the mayntenaunce of your Lordships own honor and reputation, without callinge any matters publickly in question, if good order might otherwise have bene established: or else those that without shewing reason or law will force thinges, which otherwise needed not, to have bene called in question, and will drawe on further inconveniences, then your Lordship yet thinketh of. For my self, I dare boldelye protest, that whatsoever shalbe misconceaved of me, my life and death shalbe sufficient witnesses and proofes of my innocence and loyaltie, and shall perhaps in this world, or most assuredlie, I know, in the world to come, condemn all vntrue surmises and reportes, that may be made to the contrarie. To that God which hath preserved me hitherto from all daungers, I committ my self wholly, who is able to defende me in all my goings in and goings out, whose name be blessed for ever. From my poore house at London, the vii^{h} of May, 1584.

Your Lordships in all Christian and
dutifull manner to commaund,
Robert Beale.

To the most reverend Father, the Lord Archbishops Grace of Canterburye.

Yeve this with speede.

Number VII.

58

A note of the number and degrees of the Preachers within the severall diocesses of the province of Canterburie, aswell of those which haue yeelded to conformity, as of such who haue refused so to doe.

Chap. vii. Collect. Chartar. D. Whitgift.

Preachers conformable.

Canterbury diocesse.

Doctors in Divinitie	6
Doctors in Phisick	1
Bachelers in Divinitie	12
Masters of Art	61
Bachelers of Art	10
No Graduates	36
	126

Recusants.

Masters of Art	3
Bachelers of Art	6
No Graduates	4
	13

Whereof Curates 3
Without cure 3
Having cures 7
9 of them never licensed to preach by any lawfull authoritie.

Conformable.

Oxford diocesse.

Doctors of Divinitie	6
Doctors of Phisicke	1
Bachelers of Divinitie	2
Masters of Arte	18
Bachelers of Arte	2
No Graduates	6
	35

Recusants.

Of all sortes	2

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Preachers conformable.

Elye diocesse.

Doctors of Divinitie	4
Bachelers of Divinitie	17
Masters of Arte	21
Bachelers of Arte	1
No Graduates	2
	45

Recusants.

Doctors of Divinitie	1
Bachelers of Divinitie	1
Masters of Arte	6
Bachelers of Arte	1
	9 whereof 2 are Curates.

59

Conformable.

Bathe and Welles.

Doctors of Divinitie	3
Doctor of Law	1
Bachelers of Divinitie	6
Masters of Arte	21
Bachelers of Arte	2
No Graduates	27
	60

Recusants.

None 0

Conformable.

Chichester.

Doctors of Phisicke	1
Bachelers of Divinitie	3
Masters of Arte	28
Bachelers of Arte	15
No Graduates	19
	66

Recusants.

Bachelers of Divinitie	1
Masters of Arte	1
	2

Preachers conformable.

Exceter.

Doctors of Divinitie	3
Bachelers of Divinitie	9
Masters of Arte	45
Bachelers of Arte	18
No Graduates	20
	95

Recusants.

Doctors of Divinitie	1
Masters of Art	1
No Graduate	1
	3

Conformable.

Bangor.

Bachelers of Divinitie	1
Masters of Arte	20
Bachelers of Arte	6
	27

Recusants.

None	0

Conformable. 60

Landaff.

Graduates	8
No Graduates	2
	10

Recusants.

None	0

Conformable.

In the archdeaconrye of Lincoln and Stow.

Doctors of Divinitie	7
Bachelers of Divinitie	10
Masters of Arte	31
Bachelers of Arte	19
No Graduates	27
	94

Recusants.

Masters of Arte	6
Bachelers of Arte	6
No Graduate	1
	13

BOOK III.

Preachers conformable.

In the archdeaconry of Leicester.

Doctors of Divinitie	2
Bachelers of Divinitie	11
Masters of Arte	26
Bachelers of Arte	32
No Graduates	16
	87

Recusants.

None	0

* The Archbishop's own hand.

[a] I have not yet receaved certificate of anie, yet I think there are some, though not manie.

Conformable.

The dioces of Sarum.

Doctors in Divinitie	5
Bachelers in Divinitie	8
Masters of Arte	56
Bachelers of Arte	21
No Graduates	24
	114

Recusants.

Masters of Arte	5
No Graduates	2
	7

61

Conformable.

Wigorn.

Doctors of Divinitie	5
Bachelers of Divinitie	3
Masters of Arte	12
No Graduates	7
	27

Recusants.

None	0

The whole number of those which are conformable in the foresaid diocesses.

Doctors	45
Bachelers of Divinitie	82
Masters of Arte	339
Bachelers of Arte	134
No Graduates	186
	786

The whole numbers of Recusants within the foresaid diocesses.

Doctors	2
Bachelers of Divinitie	2
Masters of Arte	22
Bachelers of Arte	13
No Graduates	10
	49

Number VIII. 62

Sir Francis Knowles to the Archbishop of Canterbury: to open the mouths of the suspended Ministers.

MY very good Lord. If your Grace have not done with my book of notes, it may please you to keep it until the next term, or otherwise to return it to me at your own pleasure. Your Grace doth knoe, how motche my poor estate is bound to wish and pray, and to be careful of her Majesties safety; not onely by general dwetye of conscience, but also by the strong bonds of nature [being cousin to the Queen.] And I do knoe, that her Majestie hath, and doth repose the trust of the vertuous and good poletyk government of the Church of England especially into your hands; although it doth ymport her Majestie greatlie, that in this government a special regard be had, that her Majesties safty, and the good preservation of hir Majesties parson, crown and dignity be not ympaired, but fortified: be not layd wide open to the undermining Jesuits, and their treacherous skollers, and too motche diligent followers; but fenced and invironed with plenty of diligent zelous preachers of the Gospel: to stir up true obedience to her Majesty in the fear of God, and withdraw her Majesties subjects from that treasonable obedience to the sea and Popish Church of Rome. Chap. vii. Int. Epist. D. Fr. Knollys, Eq. Aurat. penes me.

Your Graces wisedome and learning doth wel knoe, that by natural corruption we hir Majesties subjects are in generality heddily geven to superstition and idolatrie. Which be, as it were, the armes of the Poope, to draw us into his

BOOK III.

pompous, glittering kingdome of strong delusions. Who in his throne of majestie looketh disdainfully upon the despised flock of Christ in this world, that woll not be marked in their forehedd, nor drynk of the cupp of that hoore of Babylon, filled with al abhominations. And since this mightie enemie of God, and of hir Majestie, so full of treasonable practices, cannot be withstand, but by opening the mouths of preachers, zelous and sound in doctrine, although, as men, they have otherwise infirmities, as wel in discretion, as in deepnes of judgment concerning matters poltyke and thyngs indifferent: therefore I do presume again, as I have doon aforetyme, most humbly to beseech your Grace, to open the mouths of al zelous preachers, that be sound in doctrine, howsoever otherwise they refuse to subscribe to any tradition of man, not compellible by law, or be infirme, as before is said.

And although herein I may seem to some to speak superfluously, like a fool, yet I trust your Grace wil think that I speak like a faithful subject to her Majestie, according to that smal measure of wit and understanding that God hath geven unto me. Thus, with all humblenes, I take my leave of your Grace. At Westminster, the 8. of June, 1584.

Your Graces to command,
F. Knollys.

63

Number IX.

The Lord Treasurer Burghley to the Archbishop of Canterbury: disliking his four and twenty articles of inquiry into Ministers' conformity.

It may please your Grace;

Chap. vii. MSS. Whitg.

I AM sory to trouble you so often as I do: but I am more troubled my self, not only with many private petitions of sundry Ministers recommended from persons of credit, for peaceable persons in their ministry; and yet, by complaints to your Grace, and other your collegues in commis-

sion, greatly troubled; but also I am now dayly charged by counsillors and publick persons, to neglect my duty, in not staying of these your Graces proceedings, so vehement and so general against Ministers and Preachers; as the Papists are thereby generally encouraged, all ill-disposed subjects animated: and thereby the Queens Majesties safty endaungered. With those kind of arguments I am dayly assayled.

Against which, I answer, that I think your Grace doth nothing, but being duly examined, tendeth to the maintenance of the religion established; and to avoid schism in the Church. I have also, for example, shewed upon your papers sent to me, how fully the Church is furnished with Preachers; and how small a number there are that do contend for their singularity. But these reasons do not satisfy al persons; neither do I seek to satisfy them, but with reason and truth.

But now, my good Lord, by chance, I am come to the sight of an instrument of twenty-four articles of great length and curiosity, found in a Romish stile, to examine al maner of Ministers in this time, without distinction of persons. Which articles are intitled, *Apud Lamhith, May* 1584, *to be executed ex officio mero*, &c. And upon this occasion I have seen them. I did recommend unto your Graces favour two Ministers, Curates of Cambridgeshire, to be favourably heard; and your Grace wrot to me, they were contentious, seditious, and persons vagrant, to maintain this controversy. Wherewith I charged them sharply. And they both denyed this charge, and required to be tryed, and so to receive punishment. I answered, that I thought your Grace would so charge them: and then I should afterwards see what they should deserve: and advised them to resort to your Grace; comforting them that they should find favourable proceding. And so I hoped the rather upon my former commendation. What may be said to them, I know not; nor whether they be so faulty, as your Grace hath been informed, do I know. Neither do I mean to entreat your favour for such men. For pardon, I may speak upon their

BOOK III.

amendment. But now they coming to me, and I asking them, how your Grace had proceded with them, they say they are commanded to be examined by the Register at London. And I asked them, whereof? They said, of a great number of articles, but they could have no copies of them. I answered, then they might answer according to the truth. They said, they were so many in number, and so divers, as they were afraid to answer to them, for fear of captious interpretation. Upon this I sent for the Register: who brought me the articles. Which I have read, and find so curiously penned, so ful of branches, and circumstances, as I think the Inquisitors of Spain use not so many questions to comprehend and to trap their preyes.

I know your Canonists can defend these with al their perticels, but surely under your Graces correction this judicial and canonical sifting of poor Ministers is not to edify or reform. And in charity, I think, they ought not to answer to al these nice points, except they were very noto-
64 rious offenders in Papistry or heresy. Now, my good Lord, bear with my scribbling. I write with a testimony of a good conscience. I desire the peace of the Church. I desire concord and unity in the exercise of our religion. I favour no sensual and wilful recusants. But I conclude, that, according to my simple judgment, this kind of proceeding is too much savouring of the Romish inquisition: and is rather a device to seek for offenders, than to reform any. This is not the charitable instruction that I thought was intended. If those poor Ministers should in some few points have any scrupulous conceptions meet to be removed; this is not a charitable way to send them to answer to your common Register upon so many articles at one instant, without any commodity of instruction by your Register, whose office is only to receive their answers. By which the parties are first subject to condemnation, before they be taught their error.

It may be, as I said, the Canonists may maintain this proceding by rules of their laws: but tho' *omnia licent*, yet *omnia non expediunt*. I pray your Grace, bear that one

(perchance a) fault, that I have willed them not to answer these articles, except their conscience may suffer them. And yet I have sharply admonished them, that if they be disturbers in their churches, they must be corrected. And yet upon your Graces answer, I wil leave them to your authority, as becometh me. *Ne sutor ultra crepidam.* Neither wil I put *falcem in alterius messem.* My paper teacheth me to end. *Primo Julii* 1584.

Your Graces at commandment,

W. Cecill.

Your Grace must pardon my hasty writing. For I have don this raptim.

Number X.

The Archbishop of Canterbury, to the Lord Treasurer: in vindication of his proceedings against such as refused to subscribe: particularly two Ministers, recommended to him by the said Lord.

My singular good Lord:

IN the verie beginning of this action, and so from tyme to tyme, I have made your Lordship acquainted with al my doings; and so answered the objections and reasons to the contrarie, as I perswade my self, that no just replie can be made thereunto. I have likewise, by your Lordships advice, chosen this kind of proceeding with them, bycause I wold not towch anie for not subscribing onelie, but for breach of order in celebrating divine service, administring sacraments, and executing other ecclesiastical functions, according to their phansies, and not according to the forme by law prescribed. Which neither your Lordship, nor others, semed to mislike, but to wish and require. And therefore I am much trobled at your last letters, which seme so to be written, as though your Lordship had not bene in these poynts alreadie answered and satisfyed. Chap. vii. MSS. D. Whitgift.

The complaints which your Lordship sayeth are made of me, and of other my collegues, have bene hetherto ge-

BOOK III.

neral, and therefore cannot otherwise be aunswered, then by a bare denyal. But yf anie man shal charge me or them with particularities, I do dowt not, but we are and shalbe readie to answere them, and to justifie owre doings. My proceadings are nether so *vehement, nor so general against Ministers and Preachers*, as some pretend, doing me therein great injurie. And I have sundrie tymes satisfyed your Lordship therein. If I have anie way offended, yt ys in bearing too much with them, and in using of them too familiarlie: which causith them thus, contrarie to their dutie, to troble the Church, and to withstand me their Ordinarie and lawful Judge.

The objection of *incoraging the Papistes*, &c. hath nether probabilitie nor likelihode. For how can Papists be animated by urging of men to subscribe against the Popes supremacie; or to the justifying of the Boke of Common-Prayers, and of the Articles of Religion; both which they so greatlie condemne? But indede Papists, &c. are animated, bycause they see these kind of persons (which herein after a sort joyne with them) so greatlie frended, so much borne with, and so animated in their disordered doings, against both Gods lawe and mans lawe; and against their cheaf governors, civile and ecclesiastical. This, I say, incorageth the Papists, and maketh them so malepert. The other is but a *fallax*, a *non causa ad causam*. O! my Lord, wold to God, some of them which use this argument had no Papists in their families, and not otherwise also countenance them, whereby indede they receave incorage-ment. Assuer your self, that the Papists are rather greved at my doings, bycause they tend to the taking away of their cheafe argument; that is, that we cannot agree among our selfes, and lack unitie. And therefore are out of the Church. And I am crediblie informed, that the Papists geve incoragement to these men, and commend them in their doings: whereof I have also some experiens. But yf these reasons and sundrie others wyll not satisfye some, I am suer your Lordship wyll not think it convenient to yeald to their wylls without reason.

Towching the twenty-four articles, which your Lordship semith so much to mislike; as *written in a Romish stile, smelling of the Romish inquisition*, &c. I cannot but greatlie mervale at your Lordships vehement speaches against them, (I hope without cause.) Seeing yt ys the ordinarie cowrse in other courts likewise: as, in the Star-chamber, the Court of the Marches, and other places. And (without offence be yt spoken) I think these articles to be more tollerable, and better agreeing with the rule of justice and charitie, and less captious, then those in other courts. Bycause men are there often tymes examyned at the relation of a private man concerning private crimes, *et de propria turpitudine:* whereas here men are onelie examined of their publike actions in their publike calling and ministrie: whereunto in conscience they are bownd to answere: and much more then in case of heresie: bycause the one touchith life, the other not. And therefore I see no cause, why our judicial and canonical proceadings in this poynt should be misliked.

Your Lordship writeth, that the two, for whom you speake, *are peaceable, observe the boke, denie the things whereof they are charged, and desyer to be tried*, &c. Now they are to be tried, why do they refuse yt? *Qui malè agit, odit lucem.* I do minister these articles unto them, framed by the best learned in the lawes, (who, I dare say, hate both the Romish doctrine and the Romish inquisition) to the intent, that I may trulie understand, whether they are such manner of men, or no, as they pretend to be: especiallie, seeing by publike fame, they are noted of the contrarie: and one of them presented by the sworne men of his parish for his disorders; as I am informed by the Official there. I have written nothing to your Lordship of them, which their own behaviour doth not prove to be true. Therefore I beseech your Lordship, not to beleave them against me, either upon their own wordes, or upon the testimonie of such as animate them in their disobediens, and counte disorder, order, and contention, peace: before

BOOK III.

they be trulie and orderlie tried, according to that law which ys yet in force, and in my opinion wyll hardlie, in these judicial actions, be bettered; though some abuse may be in the execution thereof: as there ys in al courtes likewise; and that, peradventure, more abundantlie.

Your Lordship sayeth, that *these articles are devised, rather to seek for offendors, then to reforme anie.* The like may be said of the like orders in other courtes also. But that should be the fawlte of the Judge, not of the lawe.

66 And I trust your Lordship hath no cause to thynk so evil of me. I have not dealt as yet with anie, but such as have refused to subscribe, and gyvne manifest tokens of contempt of orders and lawes: my acts remayning in record wyl testifie with me: and although the Register doth examine them (as other officers do in other courts likewise, and the lawe doth allow of yt) yet are they repeted before a Judge; where they may reforme, add, or diminish, as they thynk good. Nether hath anie man thus bene examined, which hath not before bene conferred with: these two especiallie, even untile they have had nothing to say. And yf they otherwise report to your Lordship, *antiquum obtinent;* and they report untrulie. A qualitie wherewith this *sect* is merveluslie possessed; as my self, of my own knowledge and experiens can justifie, against divers of them.

I know your Lordship desireth the peace of the Church; but how ys yt possible to be procured, (after so long libertie, and lack of discipline) yf a few persons, so meanelie qualified as the most of them are, shold be countenanced against the whole state of the Clergie of greatest account for learning, stedyness, wisdom, religion and honestie: and open breakers and impugners of the lawes, yong in yeares, prowd in conceate, contentious in disposition, mainteyned against their superiors and governors, seking to reduce them to order and to obediens? *Hæc sunt initia hæreticorum, et ortus atque conatus schismaticorum male cogitantium, ut sibi placeant, ut præpositum superbo tumore con-*

Cyprian. Epist. lib. iii.

temnant: sic de Ecclesia receditur, sic altare prophanum foris collocatur; sic contra pacem Christi et ordinationem atque unitatem Dei rebellatur.

For my own parte, I nether do nor have done any thing in this matter, which I do not think my selfe in dutie and consciens bownd to do; which her Majestie hath not with earnest charge committed unto me: and the which I am well able to justifie, to be most requisite for this State and Church; whereof, next to her Majestie, though most unworthie, or, at the least, most unhappie, the cheafe care is committed to me. Which I may not neglect, whatsoever come upon me therefore. I never esteem the honour of the place (which is to me *gravissimum onus*) nor the largenesse of the revenues (for the which I am not yet one pennie the richer) nor anie other worldlie thing, I thank God, in the respect of the doing of my dutie. Nether do I fear the displeasure of man, nor regard the wicked tongues of the uncharitable, which cal me Tyrant, Pope, Papist, Knave, and lay to my charge things which I never dyd, nor thought upon. *Scio hoc esse opus Diaboli, ut servos Dei mendacio laceret, opinionibus falsis gloriosum nomen infamet, ut qui conscientiæ suæ luce clarescunt, alienis rumoribus sordidentur.* So was Cyprian himself used for the same causes, and other godlie Bishops, to whom I am not comparable. The day wyll come, when al mens hearts shalbe opened and made manifest. In the mean tyme, I will depend upon hym, who hath called me to this place; and wyll not forsake those that trust in hym. Cyprian. Epist. lib. iv.

If your Lordship do kepe those two frome answering according to the order set downe, yt wylbe, of yt self, a setting at libertie of al the rest, and an undoing of al which hitherto hath bene done. Nether shal I be able to do that which her Majestie expecteth at my hands, and ys now in verie good forwardness: and therefore I beseech your Lordship to leave them unto me. I wyll not proceade to anie sentence against them, until I have made your Lordship privie to their answers, and further conferred with you thereof; bycause I see your Lordship so earnest in their

BOOK III.

behalf: whereof they have also made publike boastes, (as I am informed) which argueth of what disposition they are.

I hartilie pray your Lordship to take not onlie the length, but also the matter of this letter in good parte, and to continew unto me, as you have hetherto done. For, yf you now forsake me, and that in so good a cause, (as I know you wyll not) I shal think my happ to be verie hard, that when I hope to deserve best, I shold be worst rewarded. *Sed spero meliora:* and committ my self to the Author of peace, whome I beseech to bless and prosper your Lordship. From Croydon, the 3. of Julie 1584.

To your Lordship most bownd,

Jo. Cantuar.

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Number XI.

The Archbishop of Canterbury to the Lord Treasurer: vindicating his proceedings against such as refused to subscribe: and in examining them by the twenty-four articles.

My singular good Lord,

Chap. viii. MSS. Epist. Archiep. Whitgift.

GOD knoweth, how desierus I have bene from tyme to tyme, to satisfye your Lordship in al things, and to have my doings approved by you. For which cause, since my comming to this place, I dyd nothing of importans without your advice. I have risen earlie and set up late, to write unto you such objections and answers as are used on ether syde. I have not done the like to anie man. And shal I now say, that I have lost my labor? Or shal my just dealing with two of the most disordered Ministers in a whole dioces (the obstinacie and contempt of whome, especiallie of one of them, your self wold not beare in anie subjected to your authoritie) cause you so to thynk and speake of my doings and of my self? No man living shold have made me beleave yt. My Lord, an owld friend ys better then a newe. And I trust your Lordship wyll not so

lightlie cast off your owld friends, for anie of these new fangled and factious *sectaries:* whose indeavor ys to make division wheresoever they come, and separate owld and assuered frendes.

Your Lordship semith to charge me with *breach of promisse*, towching my manner of proceading: whereof I am no way guiltie. But I have altered my first course of dealing with them for not subscribing onlie, (justifiable by lawe, and in common practice in the tyme of King Edward, and from the beginning of her Majesties raigne, to this day) and chosen this, onlie to satisfye your Lordship.

You also object, that yt ys sayd, *I take this course for the better maintenance of my boke* against Cartwright. My enemies say so indede; but I hope my frendes have a better opinion of me. Why shold I seke for anie such confirmation of my boke, after so manie yeares? Or, what shold I get thereby more, then already I have? And yet yf subscription may confirme yt, yt ys confirmed long agoe by the subscription almost of al the Clergie of England; and of manie of these which now refuse, even of Brayne himself. My enemyes and the evil tongues of this uncharitable *sect* report also, that I am revolted, become a Papist, and I know not what. But yt proceadeth frome that ungodlie zeale, which commith not *ex amore, sed ex livore*, [*i. e.* not of love, but of envy] wherewith they are possessed. And I disdayne to answere to such notorious untruthes; which not the best of them dare avouch to my face.

Your Lordship further semith to burthen me with *wyllfulness*, &c. I think you are not so persuaded of me: I appeale therein to your owne consciens. There ys a difference betwixt *willfulness* and *constancie*. I have taken upon me the defens of the *religion* and *rites* of this *Church;* the execution of the lawes concerning the same; the appeasing of the *sects* and *schismes* therein; the reducing the Ministers thereof to uniformitie and due obediens. Herein I intend to be constant: which also my place, my person, my dutie, the lawes, her Majestie, and the goodness

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of the cause requireth of me: and wherein your Lordship and others (al thinges considered) ought, as I take it, to assist and help me. It ys more then strange, that a man in my place, dealing by so good warrantize as I do, shold be so hardlie used, and for not yielding, be counted *willfull*. But, *Vincit qui patitur:* [*i. e.* He that suffers] overcomes. And yf my frends herein forsake me, I trust God wyll not; nor her Majestie; who have layd the charge on me, and are able to protect me: upon whom onlie I wil depend.

68 But of al other thinges, yt most greveth me, that your Lordship shold say, *The two Ministers fare the worse, bycause you sent them.* Had your Lordship ever anie cause so to think of me? It ys nedeless for me to protest my good heart and affection towards you, above al other men. The world knoweth yt: and I am assuered your Lordship dowteth not thereof. I have rather cause to complayne to your Lordship of your self, that upon so small occasion, you wyll so hardlie conceave of me: and, as it were, countenance persons so meanlie qualified, in so evil a cause against me, their Ordinarie, and your Lordships long tried frend. It hath not bene so in tymes past; and now yt shold not, least of al.

But bycause I wold be loath to leave your Lordship unsatisfyed, or to omitt anie thing whereby you may be satisfied, I have sent unto you, herein closed, certain reasons, to justifie the manner of my proceading: which I mervale shold be so much misliked in this cause, having bene so long practised in the like, yea, and in the same; and never before this tyme found falt with. Trulie, I must ether procead this way, or not at all. The reasons are set downe in this paper. And now, my singular good Lord, I hartilie pray you, not to be carried away ether frome the cause, or from my self, upon unjust surmises or clamours; lest thereby you be some occasion of that confusion, which hereafter you wyll be sorrie for.

For my own part, I am determined to my dutie and consciens without fear. Nether wyl I therein desyer further defens of anie of my frends, then justice and lawe wyl

yield unto me. In my private affaires, I know how greatlie I shal stand in nede of frends, especiallie of your Lordship; of whom I account my self suer. But in these publike actions, I see no cause, why I shold seke frends, seeing they, to whom the care of the commonwealth ys committed, ought therein to joyne with me.

To conclude, I am your Lordships most assuered; nether do I dowt of the continewans of your good affection towards me: which I hartilie desyer, as God hymself knoweth, to whose tuition I committ you. From Croydon, the 15. of Julie 1584.

To your Lordship most bownd,
Jo. Cantuar.

To the right honourable, my singular good Lord, the Lord Burghley, Lord Treasurer of England.

Number XII.

Mr. Walter Travers to the Lord High Treasurer: justifying his orders taken beyond sea, to qualify him for the mastership of the Temple.

Right honourable, and my very good Lord:

WHEREAS I am required to enter into the ministry again, being once sufficiently called thereunto, according to the rules of Gods most holy word, with prayer and imposition of hands; and agreeably to the order of a Church of the same faith and profession with this Church of England, as may appear by the testimonial I have thereof, may it please your good Lordship, to consider of the reasons following, concerning the matter. Chap. ix. Scripta ecclesiast. penes me.

The calling to the ministry is such an action, as he, that in a Church orthodox, and not heretical or schismatical, hath once received sufficiently, for the substantial points to be observed in it, by the ordinance of God, in any part of the holy Catholic Church, wheresoever he may after be 69

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required to any place, wherein he may exercise that calling, is not to be urged to any new imposition of hands, and vocation to the ministry. But is to be acknowledged sufficiently qualified for any action that a Minister may perform.

The proof of this may appear by al the rules and examples of such as we read to have been called to the ministry of the word, and pastoral charge in the holy Scripture. Whereunto consenteth the constant and perpetual practice of the universal Church. In the ecclesiastical story we read, that in the primitive Church, Polycarpus, who was a Minister in Asia, coming to Rome, administred there the holy Communion. Neither ever was there any question of it in the Church; except the party had received imposition of hands of an heretic.

In the civil law it is expresly provided, that any Minister having occasion to come into another country, than where he was first ordained, may, by vertue of his former calling, exercise his ministry there. In so great corruptions as prevailed in the Church of Rome, yet this remained, and stil doth among them: that whosoever hath taken their unholy orders, is acknowledged a sufficient Priest in any Church of their communion.

Al the Churches professing the Gospel receive likewise to the exercise of the ministry among them, al such, as have been called lawfully before, in any of the Churches of our confession. And in the Church of England, not only the same hath been always observed unto this day: but also Priests ordered according to the manner of the Church of Rome, to the 13th year of her Majesties reign, were suffered to do any work of the ministry, and to enjoy the livings pertaining thereunto; without any manner of question of other calling, than the order of *priesthood*, which they had recieved.

Since that time, it was yet lawful for them, as Curats, to do any act of ministry: onely it is provided by statute, that from that time they shal not enjoy the livings, except they first assigned the Articles agreed on in the Convoca-

tion-house, 1562. So that to this day, it is not required of them to be called again, according to the order now established; but only that they subscribe according to the statute.

The reason of al which I take to be, beside that the calling to the ministry, by the ordinance of God, ought to be but once, and not repeated; the great inconvenience feared of such repetition, as the disunion of the Churches, whose communion is broken by such offence; and the making void of al former acts of ministry don by them. For if their calling to the ministry were not sufficient, then could not they be held Ministers; nor the acts don by them lawfully don: and for that cause to be repeated.

Therefore, to avoid the renting of the Churches one from another; and rebaptization of those who had been by such baptized before, and the adnulling of marriages solemnized before by others, with many such like; it hath been always thus practised in this Church, and in al other Churches of our profession.

Whereupon, I humbly beseech your good Lordship to consider, whether, that subscribing to the Articles of Religion, which onely concerning the confession of the true Christian faith, and the doctrine of the sacraments, contained in a book agreed upon in the Convocation-house, anno 62, (which most willingly, and with al my heart, I assent unto, as agreeable to Gods word,) such my doing, by vertue of that statute, do not as fully inable me for dealing in the *ministry*, as if I had been at the first made Minister by the form established in this Church.

Thus praying God continually to encrease al his gracious blessings on your good Lordship, according to the common duty I owe, with al good subjects in this land; tasting daily (in our happy liberty of the profession of the Gospel, and our quiet rest) of the excellent fruit of your godly care and wisdom: and according to more special obligation of many particular favours, for which I stand bound to

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your Lordship, while I live; I most humbly take my leave.

Your Lordships most humble at commaundment,
Water Travers.

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Number XIII.

The humble petitions of the Commons of the Lower House of Parliament, to bee offered to the consideration of the Right Honourable the Lords spirituall and temporall of the Higher House.

Chap. x. MSS. Whitg. Ministery.

1. WHERE by a statute, made the xiii[th] of her Majesties reigne, it was enacted, That none should bee made Ministre, vnlesse he bee hable to answere, and render to the Ordinarie, an accompt of his fayth in Latin, according to certen Articles, sett forth in a synode, holden in the yere 1562, and mentioned in the sayd statute; or haue speciall guifte and habilitee to bee a preacher: it may please their honorable Lordships to consider, whether it were meet to bee ordered, that so many as haue bene taken into the ministerie, synce the making of that statute, and bee not qualified according to the true meaning and intent of the same, bee within a competent tyme suspended from the ministerie, and execution of any function thereto apperteyning, vntill they shall bee founde of that habilitie, which the statute requyreth.

2. That where in a synod, holden in the yere 1575, it was provided, that vnlearned Ministers, heretofore made by any Bishoppes, should not from thense forth bee admitted to any cure or spirituall function: it may also lyke their Lordships to advise, whether so many, as have bene since that tyme admitted, contrary to the forme of that article, shall bee within a competent tyme removed: and that for better explanation of that article, suche to bee taken for unlearned, as bee not qualified according to the statute before recited: and provision for the due execution of that article so declared for ever hereafter.

3. Where also in that grave and weighte charge, which in the book conteyning the forme of ordering of Preists, established by the statutes of this realme, is prescribed to bee delivered to all suche as shall bee receaved into the ministerie, they are admonished, that they bee messengers, the watchmen, the *Pastors* and *Stuards* of the Lorde, *to teache, to premonish, to feed,* and *to provide for the Lordes familie, to seek for Christes sheepe, that bee dispersed abroad, and for his children, which bee in the middest of this naughty world,* to be saued, through Christ for ever; with other remembrance of sondry weightie partes of their duetie: it may lyke their Honors to consider of some good order to bee geuen, that none hereafter bee admitted to the ministerie, but suche as shall be sufficiently furnished with guiftes to performe so high and so earnest a charge: and that none bee superficially allowed as persons qualified, according to the statutes of the XIIIth of her Majesties reigne, before recited; but with deliberate examination of their knowledge and exercise in the holy Scriptures, answerable to the true meaninge of that statute.

4. Furder, that forasmuch as it is prescribed in the sayd forme of ordering Ministres, that the *Bishoppes, with the Preistes present, shall lay their hands severally upon the head of euery one that receaueth Ordres,* without mention of any certen nomber of Preistes, that shall be present: and that in a statute, made in XXI of King Henry the Eighth, it is affirmed, that a Bishopp must occupie six Chaplens in giving of Ordres: it may bee considered, whether it bee meet to provide, that no Bishoppe shall ordeyne any Ministre of the worde and sacraments, but with assistance of six other Ministres, at the least; and theretoo, suche only to bee chosen, as bee of good reporte for their lyfe, learned, continually resiant vpon their benefices with cure; and which do giue testimony of their care for the Churche of God, by their diligence in teaching and preaching in their charges. And that the sayd Ministres doo testifie their presence at the admission of such Ministres, by subscription of their handes to some act, importing the same.

BOOK III. And furder, that this admission bee had and done publikely, and not in private house or chappell.

71 5. And where the admission of unnecessarie multitudes to the ministerie at one tyme, hathe bene an occasion, that the Churche is at this day burdened with so great a nomber of unhable Ministres: it may lyke their Lordships to advise, whether some provision might bee made, that none be admitted to be a Ministre of the worde and sacramentes, but in a benefice, hauing cure of soules then vacant in the diocesse of suche a Bishopp, as is to admitt him, or to some place certen, where such Ministre to be made is offered to be interteyned for a preacher: or suche Graduates, as shall be at the tyme of their admission into the ministerie, placed in some fellowship or schollership, within the Universitees: or at the least, that triall be made of this ordre for suche tyme, as to their honorable wisedomes shall be thought convenient.

6. That it bee lykewise considered, whether, for the better assurance, that none creep into charges and cure, being men of corrupt lyfe, or not of knowne diligence; it might be provyded, that none be instituted, or by collation preferred to any benefice with cure of soules, or receaved to be Curat in any charge, without some competent notice before given to the parish, where they shall take their charge, and some reasonable tyme allowed, wherein it may be lawful to suche as can discover any default in conversation of lyfe in the person who is to be so placed, as is aforesayde, to come and object the same.

7. That for the encouragement of many desyerouse to enter into the ministerie, which are kept back by some conditions of oath and subscriptions, whereof they make scruple: it may be considered, whether this favour may be shewed them, that hereafter no oath or subscription be tendered to any, that is to enter into the ministerie, or to any benefice with cure, or to any place of preaching, but suche onely, as be expresly prescribed by the statutes of this realme: saving, that it shall be lawfull for euery Ordinarie, to trye any Ministre presented to any benefice

within his diocese, by his oath, whether he is to enter corruptely or incorruptely into the same?

8. Whereas sondry Ministres of this realme, diligent in their calling, and of good conversation and lyfe, haue, of late yeres, bene greeved with indictments in temporall courtes, and molested by some exercising ecclesiasticall jurisdiction, for omitting small portions, or some ceremonie prescribed in the Book of Common Prayer, to the great disgrace of their ministerie, and imboldening of men, either hardly affected in religion, or voyd of all zeale in the same: which also hath ministred no small occasion of discouragement to the forwardness of suche, as would otherwise enter into the ministerie. Some good and charitable means may be by their honorable discretions devised, that suche Ministres, as in the publick service of the Churche, and in the administration of the sacraments, doo vse the Book of Common-Praier, allowed in the statutes of this realme, and none other, bee not from henseforth called in question for omissions or changes of some portions or ryte, as is aforesaid, so their doings therein be voyde of contempt.

9. That forasmucheas it is no small discouragement to many, that they see suche as bee alreadie in the ministerie, openly disgraced by Officials and Commissaries, who daylie call them to their courtes, to answere complaynts of their doctrine and lyfe, or breache of ordres prescribed by the ecclesiastical lawes and statutes of this realme. It may please the reuerend Fathers our Archbishoppes and Bishoppes, to take to their owne hearinges, with suche grave assistance as shall bee thought meet, the causes of complaynt made against any knowen preacher within their diocese, and to proceed in the examination and ordre thereof with as little discredite of the person so complayned of (without great cause) and in as charitable sorte as may bee, restrayning their sayd Officialles and Commissaries to deale in those causes.

10. It may also please the sayd reuerend Fathers to extend their charitable favour to suche knowen godlye and

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learned preachers, as haue bene suspended or depryved, for no publike offense of lyfe, but only for refusall to subscribe to suche Articles, as lately haue bene tendered in dyverse partes of the realme, or for suche lyke thinges. That they may bee restored to their former charges or places of preaching, or at the least sett at libertee to preache, where they may bee hereafter called.

72 11. Furder, That it may please the reverend Fathers aforesayd, to forbeare their examinations *ex officio mero,* of godly and learned preachers, not detected vnto them for open offense of lyfe, or for publike maynteyning of apparent error in doctrine; and only to deale with them for suche matters as shall bee detected in them. And that also her Majesties Commissioners for causes ecclesiasticall be requyred, if it shall so seeme good, to forbeare the lyke proceeding against suche preachers, and not to call any of them out of the diocese where hee dwelleth, except for some notable offense: for reformation whereof, their ayde shall be requyred by the Ordinarie of the sayd preachers.

12. *Item,* That for the better encrease of knoledge of suche as shall bee imployed in the ministerie, it may please their Lordships to aduise, whether it may bee permitted to the Ministres of euerie archedeconry within euery diocese, to haue some common exercises and conferences amongst themselues, to bee lymited and prescribed by their Ordinaries, both touching the moderation, and also the tymes, places, and manner of the same. So as the *moderators* of those exercises bee preachers resiant vpon their benefices, having cure of souls, and knowen to beare good affection to the furderance of suche profit as may growe by the same exercises.

Excommunication.

13. Where complaynt is made of the abuse of *excommunication,* which is the highest censure that Christe hath lefte to his Churche; and many are greeved, aswell in regarde of the causes and matters, wherein it is at this day vsed, as of the persons which haue the common execution thereof; and no redresse can bee had herein, but by act of

Parlement; that some remedie may bee thought of in that behalf, before the end of this session, and for reformation to be had herein: it may please their Lordships to consider, whether some bill might not be conveniently framed to this effect, *viz.* That none having *ecclesiasticall* jurisdiction shall in any matter alreadie moved, or hereafter to be moved in their courtes, (other then in the cases hereafter mentioned,) geve or pronounce any sentence of *excommunication*. And that for the *contumacie* of any person in causes depending before them, it shall bee lawfull to pronounce him onely *contumax*, and so to denounce him publikely. And if vpon suche denunciation, as in *excommunications* hath bene vsed, the partie shall not submitt himself, nor stand too, or abyde suche ordre, as is to him assigned, within fortie dayes: then it shall bee lawfull to signifie his *contumacie*, in suche manner and sorte, and to suche courte, as heretofore hath bene vsed for persons so long standing *excommunicat*. And that vpon suche certificat, a writt *de contumace capiendo* shall bee awarded, of lyke force to all effectes and purposes, and with the lyke execution, as the writt *de excommunicato capiendo* is.

14. Neuerthelesse, forasmuche as it seemeth not meet, that the Churche should be lefte without this censure of *excommunication*: it may be provided, that for enormous crimes, as *incest*, *adulterie*, and suche lyke, the same be executed by the reuerend Fathers the Bishoppes themselues, with assistance of grave persons, or ells by other persons of calling in the Churche, with lyke assistance, and with suche other considerations, as vpon deliberation shall bee herein advised of: and not by *Chauncellors*, *Commissaries*, or *Officials*, as hath bene vsed.

15. Where lycences of non-residence are offensive to the Churche, and bee occasion that a great multitude of this realme doo want instruction: and it seemeth, that any certen cases, wherein the same may bee allowed, can hardly bee devised, suche as shall bee voyde of great inconvenience and danger: it may therefore bee considered by their honorable Lordships, whether it were more conve- Facultees.

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nient or necessarie, that the vse of them were vtterly removed out of the Churche: and so lykewise of *pluralitees*.

16. But howsoeuer it shall bee thought convenient to ordre those *facultees;* yet, forasmuche as, besides the knowen duetie of a Ministre prescribed by the worde of God, her Majesties injunctions doo requyre in euery Curat a furder qualitee of learning, then habilitee to reade onely, as may be gathered by the XLIIId article, and by other charges imposed upon him, to teache the principles of religion, as is set downe in the XLIIId article: and sith
73 also, that no *facultee* of *pluralitee*, or *non-residence*, either is or may be granted, but with condition to see the *cure*, from which he is absent, sufficiently served: it might be provided, that none nowe having lycence of *non-residence*, either by lawe or by *facultee*, or which shall hereafter haue, be permitted to enjoy the benefite of suche lycence, except he depute an hable and sufficient preacher to serue the *cure*. And that no Curat by him placed, bee suffered to contynue in his service of that *cure*, except he bee of sufficient habilitie to preache, and doeth weekely teache the congregation, and performe the other dueties of instructing the youth in the Catechisme, requyred by her Majesties injunctions in that behalf.

[Number XIII.]

February — 1584.

Answers to the sixteen articles exhibited by the Commons in December last.

Int. MSS. Whitgift.

THE displacing of them which are alreadie ordered, though not qualified according to the statute, (not being otherwise criminouse in lyfe) would breede many inconveniences and troubles in the State, and call many thinges into needlesse questions; as marriages, christeninges, &c. and bring a great infamie to this whole Churche.

Neverthelesse, it is by article allreadie provided, that the statute hereafter be observed; and suche Bishoppes duelie ponished, as shall breake the same.

And yet the statute doth geve libertie to the Bishop to admitt suche into the ministerie, as cannot speak Latin. For theis are the wordes of the statute, *viz.* That none shall bee admitted into the ministery, unlesse he be hable to aunswere, and rendre to the Ordinarie an accompt of his faith in Latin, according to the sayd Articles. Or haue speciall gyft and habilitie to bee a preacher. Which *or*, being a disjunctive, geveth too large a scope to the admittance of lack Latin Ministres: and therefore, in the Articles allreadie exhibited to her Majestie, we haue lefte it out.

2. It is in effect the same with the former: and therefore may receave the same answere. But yet care is to be taken, that parishes be not lefte wholly destitute of Curates. For better it is to haue one but meanely learned, then none at all, as it must of necessitee come to passe in thousandes of parishes, if theis petitions should be granted. It seemeth that they would vtterly seclude *reading* out of the Churche, whereby God hath wrought from tyme to tyme so great good in his Churche.

It were also against charitee, to sett poore men and their families a begging, being once allowed for sufficient, and betaking themselues wholly to that function; the fault being not in them, but in the Bishop that admitted them by colour of the wordes of the foresayd statute.

3. It is allreadie provided for, and sett downe in article ——

4. No lawe nowe in force doth requyre that nomber at the ordering of Ministres: neither is it either necessarie or convenient. It may tende to the nourishing of contention and schisme in the Churche: neither can it otherwise bee, considering the wayward dispositions of many. It shall be therefore sufficient, that the Bishopp take unto him such as he thinketh to be meetest for the business, and 74 which by law alreadie established are appointed for the same.

Innovations are scandalouse and dangerouse. And this Churche being so troubled with *sectes* and *schismes* as it

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is, cannot admitt this plattforme, without the great increasse thereof.

The qualitie of suche assistants as are continually resident vpon their cures, is needlesse to this purpose, and hath some other meaning, *viz.* to breed variance betwixt the Bishopp and his Clergie. A man would think Mr. Dean of Pauls, and suche as he is, to be men sufficient to assist the Bishop in such actions, though he nor they be continually resident upon their cures.

5. It is allreadie provided by article, that none shall bee admitted Ministre *sine titulo*, as the lawe termeth it: which I think to be the meaning of this *petition*. But yet the petition, as it is here set downe, without furder addition therevnto, is most intolerable, and tendeth to the ouerthrowe of the studie of *divinitie*, and the diminishing of the nomber of preachers; the contrary whereof it so greatly pretendeth. For, by the wordes of the petition, Masters of colleges in Cambridge, and Oxford, and elswhere, Deanes and Prebendaries of cathedrall and collegiat churches, and Archdeacons, must be meer lay-men. Neither shall there bee any Petit-Canons or Vicars in suche churches, but lay-persons in lyke maner. Curates also are secluded, and Chaplens. So that it is to be feared, least the penner of this petition had in his intention the subuersion of all suche churches and places, and the ouerthrow of the best state of the Clergie, and so, consequently, of a learned ministerie; though the contrarie be pretended. And the so ofte renewing of this *petition* (which, in my opynion, is verie vngodly) causeth me to suspect the rest.

6. It smelleth of popularitee, and of popular elections, long ago justly abrogated for the tumultuousnesse thereof; and indeed intolerable in a settled state, and where there is a Christian magistrate.

Neither could it work the effect which is pretended, the partie presented being altogether vnknowen to them, and a meer stranger, as it must of necessity, for the most parte, comẽ to passe. For how can the most parishes in

the realme, take knoledge of the conversation of such, as haue continually remayned in the Uniuersitees, or in other places far from them? It is therefore sufficient, that his conversation be testified to the Bishopp, as it is alreadie set downe in the Articles exhibited to her Majestie. And if they should object against him, and the partie stand upon his purgation, it would protract tyme, breed expenses, and enmitie betwixt the ministre, or patrone, and such parishioners, and peraduenture make bitter contention amongst themselues.

7. This petition tendeth wholly to libertee, which will breed confusion. And what reason is it, that men should take vpon them any function in this Church, which refuse to submitt themselues to the ordres thereof, and testifie the same by their subscription, according to the ordre and manner of all other reformed Churches? Neither is there requyred any subscription, but to thinges by lawe established, and according to lawe. Neither is there any reason to take away the oath of *canonicall* obedience, prescribed by statute to be taken, even by a Bishop, to an Archbishopp, his Metropolitan: and therefore meet to be performed of inferior Ministres to their seuerall Ordinaries.

8, 9, 10, 11. Theis all tend to one end, which is libertie of doing what men lyst, contrary to the lawes established, and to the practise of all well-ordered states and churches.

Honest and godly Ministres are not molested, but arrogant and factiouse persons, opposing themselues to lawes, and framinge newe platformes, are brideled and restrayned according to lawe; which otherwise would rent in peeces this Churche, to the encouraging of the common adversarie, and offense of the weak.

It may appere by theis *petitions*, that theis holy ones disdayne to bee vnder any government *ciuill*, or *ecclesiasticall*, but to do even what them lyst, without controllement. Theis *petitions* bewray their meaninges.

If euery man's scrupulositee in the ordre and manner of the Liturgie should bee borne with; then shall wee haue as many formes of Liturgie, as there are seuerall

BOOK III. churches. *Et tot altaria, quot schismata,* as Hierom sayth. For a man may be sayd to vse none other book, that vseth perhappes but one *psalme* or *prayer* prescribed in the book.

And concerning the *petition*, that none should be examined *ex officio;* it is contrary to the 9th. For eyther the Bishop must dismisse the preacher, vpon his single deniall of the fact, or ells, *ex officio*, putt him to his oath.

12. The like *exercises*, vpon good considerations, (as being the occasions of *sectes* and *divisions* in the Churche,) were, by her Majesties authoritee inhibited. It would therefore bee considered, what the restoring of them agayne would work, the rather, because the *petitioners* themselues doo take vpon them to appointe the *moderators*. And yet I thinke it not amisse for the Ordinarie to appoint some kinde of exercise for the vnlearned Ministres, but not in that forme.

13. This cannot take place without the alteration of many lawes: and the inconveniences supposed by the *petitioners* are allreadie mett with, by Articles sett downe by us, and exhibited also to her Majesty.

14. It is provided for in the foresayd Articles.

15. It were verie inconvenient, and would bee an occasion of the ouerthrow of learning, and of the best learned and most profitable membres in the ecclesiasticall state: yet wee haue restreyned it, so muche as is convenient, in the foresayd Articles.

16. It may bee graunted in some sorte to the lyke effect, where the benefice is hable to finde suche a one.

Addition to the 13*th article.*

There is no cause to be greved at the matter, wherein *excommunication* is vsed, which is onely contempt of authoritee; howsoeuer, perhappes the originall be not weightie: neither yet to be offended at the persons who doo execute it; not by their owne, but by their Ordinaries authoritee, and do but pronounce the penaltee whereinto suche, disobedient by law, are fallen. Also the sentence of *excommunication* is not of force, till it haue bene publikely denounced by a Ministre in the churche.

If this *petition* doo meane to make the sentence of *contumacie* to all intents of lawe, lyke *excommunication, viz.* to debarre him from *prayers* and *sacraments;* from being plainty in any action; from bearing witnesse; from being buried in ecclesiasticall sepulchre, &c. then will it be sayd, that we haue brought a newe censure into the Churche, besides the word of God.

It is also absurd, to make *contumacie* being the fault, to be the very ponishment of the fault.

But if the *petition* mean onely to extend it unto the awarding and execution of the writt, *De contumace capiendo,* then shall the worst sorte of offenders be sett at large in sondry pointes, which nowe is terror and shame unto them. For many are more afrayed of *excommunication,* for that they can prosecute no action, then of imprisonment, because that course is so chargeable, and so slenderly performed, throughe the corruption of inferior officers and ministres, that men are discouraged to pursue it.

Agayn, he, at whose instance and prosecution the partie is to be *excommunicated,* shall be delayed from his right, having no remedie but one, to dryue his adversarie to an end, and that so easie to be eluded.

Addition to the 14*th article.*

And besides, if the supposed offender, knowing his owne guiltinesse, or otherwise, will not appere, then must *excommunication* be grounded upon his *contumacie,* and not vpon the fault objected. If he doo appere, and deny it, and offer to clear himself according to lawe, it is most meet this purgation should be taken before him that knoweth the course of lawe; and not before the Bishop onely. But if the fault be proved against him, or confessed by him; and withall, if he offer publick satisfaction, and testifie his repentance; then in equitee the sentence of *excommunication* ought not to be inflicted aginst him.

So that by theis two last *petitions,* the censure of *excommunication* shall in all cases be taken away from the Church, saving when the partie confesseth his impenitence; which very seldom or neuer will happen. 76

BOOK III.

By this platt also the Bishop should be forced to kepe a sett consistorie for matters of correction, at the place of his abode, wherevnto men should repayre, how far distant soeuer it be from their habitation: which is very inconvenient in great diocesses.

Addition to the 15th article.

Licenses of non-residence are seldom granted: yet in regard of recouering health by change of ayre; of studie for a tyme in the Universities; of mortall enmitee borne by some in the parish; of prosecution in lawe; or being employed in publike affairs; they cannot be wholly abrogated.

Number XIV.

Articles presented to the Queen's Majesty by the Archbishop of Canterbury and others; for reformation of divers disorders in the Church.

For admitting of meete persons into the ministerie and benefices.

Chap. x. MSS. Whitg.

THAT from henceforth none be admitted to any Orders ecclesiasticall, vnlesse he doe then presentlye shewe to the Bishop a true presentation of him self to a benefice then void, within the diocesse or jurisdiction of the said Bishop: or unlesse he shew vnto the said Bishop a true certificate, where presentlye he may be placed to serve some cure within the same diocesse or jurisdiction: or unlesse he be placed in some cathedrall or collegiate churche, or college in Cambridge or Oxford: or unlesse the said Bishop shall then forthwith place hym in some vacant benefice or cure.

And that no Bishopp henceforth admitt anie into Orders, but suche as shalbe of his owne diocesse, vnlesse he be of one of the Universities, or bringe his lettres *dimissaries* from the Bishop of the diocesse, and be of age full xxiv yeres, and a Graduate of the Universitie: or, at the least, able in the Latyn tongue to yeelde an accompt of his faith, according to the Articles of Religion agreed upon in Con-

vocation; and that in suche sorte, as that he can note the sentences of Scripture, wherevpon the truthe of the said Articles is grounded. And bring a sufficient testimoniall with hym of his honest life and conversation, eyther vnder the seale of some colledge in the Universities, where he hath remayned, or from some Justice of the peace; with other honest men of that parishe, where he hath made his abode for three yeres before. And that the Bishop which shall admitt any into Orders (being not in this manner qualified) be by the Archbishop, with the assistance of some one other Bishop, suspended from admitting anye into Orders for the space of two yeres: and further abide such penalties as are provided by law against those Bishops that admitt any into ecclesiasticall Orders *sine titulo*.

And that no Bishop institute any into a benefice, but such as be of the abilitie before described.

And if the Arches by double *quarrell*, or otherwise, proceede against the said Bishop, for refusall of suche as be not of that abilitie, that the Archbishop of Canterburie, either by his own authoritie, or by meanes procured from your Majestie, may stay such processe, that the endevoure of the Bishop may take place.

And likewise, if any patrone shall present any Minister 77
to any benefice, which shall not be in this sorte qualified; that it may be lawfull for the Bishop to refuse such *presentee*, and not be constrayned by *Quare impedit*, or otherwise, to institute any suche, or to susteyne any daunger of law for the same.

For the restraint of commutation of penaunce.

That from henceforth there be no *commutation of penaunce*, but in rare respects, and uppon greate consideration; and when it shall appeare to the Bishop hymself, that that shalbe the best way for the wynning and reforming of the offender. And that the penaltie be imployed, either to the relief of the poore of that parishe, or to other godlie uses, and the same well witnessed and manifest to the congregation. And yet, if the fault be notorious, that the offender make some satisfaction, either in his own

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person, with declaration of his repentaunce openlye in the churche: or else, that the Minister of the churche (the partie being present) openlie in the pulpitt signifie to the people his submission and declaration of his repentaunce done before the Ordinarie; and also, in token of his repentaunce, what portion of money he hath geven, to be imployed to the uses abovementioned.

For restrayningof licences to marrie without banes.

As persons of honest, worshipfull, and honorable callinge, may necessarily and reasonablie have occasions sometymes to solemnize marriage by licence for the *banes asking;* or for once or twise, without any great harme: so for avoidinge generallie of inconveniences noted in this behalfe, it is thought expedient, that no *dispensations* be graunted for marriage without *banes*, but under sufficient and large bondes, with these conditions followinge. First, That there shall not afterwardes appeare any lawfull lett or impediment, by reason of any precontract, consanguinitie, affinitie, or any other lawfull meanes whatsoever. Secondly, That there be not at that present tyme of granting such dispensation, any sute, playnt, quarrell, or demaund, moved or dependinge before any Judge ecclesiasticall or temporall, for or concerning any suche lawfull impediment betwene suche the parties. And, thirdly, That they proceede not to the solemnization of marriage without consent of parents or governors; and that the marriage be solemnized openlye in the church, and at convenient tyme. The copie of which bond is to be sett downe, and geven in charge for everie *Bishop* in his diocesse to followe. Provided, that whosoever offend against this order, be suspended *ab executione officii* for one halfe yere.

For the restrayninge of some abuses in excommunication.

The use of *excommunication* being a settled law in the Churche, and contynuallie practized in the exercise of all ecclesiasticall jurisdiction, cannot possiblie be altered without the alteration and interruption of that whole jurisdiction, and many lawes of the realme: yet to reduce *excommunication*, being the bond and sinew of authoritie and disci-

pline ecclesiasticall, to the auncient use, creditt, and dignitie; it is now ordered, That whensoever this censure shalbe used, for the immediate punishment of any notorious *heresie, schisme, simonie, perjurie, usurie, incest, adulterie,* or of any other haynous cryme, the sentence shalbe pronounced by the Archbishop, Bishop, Dean, Archdeacon, or Prebendarie, being in the ministerie, and having ecclesiasticall jurisdiction in his own person, with such assistaunce, as for the greater authoritie thereof, it shall please him to call.

And that everie Chauncellor, Officiall, or Commissarie, being in no ecclesiasticall Orders, shall have the assistance and presence of some learned Minister, who being thereunto authorized by commission from the Bishop within his jurisdiction, or from the Archdeacon, being a Priest within his jurisdiction, (and that by the direction of the Judge) shall pronounce sentence of *excommunication* for *contumacie.*

For the restrayninge of pluralities of benefices. 78

That none have any dispensations for *pluralitie* of *benefices,* but onlye suche as for their learninge are most worthie, and best able to discharge the same. That is, that the partie be at the leaste a Maister of Arte, and a common knowne Preacher of good abilitie. And yet the same to be bound to be resident at eache benefice some reasonable tyme of the yeare; and the benefices to be but thirtie miles distant at the furthest, unlesse they be within the same shyre.

Number XV.

An argument of Archbishop Parker, in defence of the Court of Faculties.

THE Emperor in lawe civil saith, *Digna vox majestate imperantis, se legibus obligatum profiteri. Et si legibus soluti sumus, tamen legibus vivimus.* So did King Henrye the Eighth in the cause of his marriage. So may anye

Chap. xi. Imperatores, Theod. et Valentinian. cod. 1 digna, tit.

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prince of this realme, though he be not tied by lawe or congruence therevnto.

De legibus. &c. Sever. et Antoninus, Inst. l. 2. tit. Quibus modis testamenta infirmentur. §. ult.

Item, For that owte of the Cowrte of Faculties, some reuenues be belonginge to the Queens Majestie. And partely the saide Cowrte doth expresse sum partes of her prerogative. And for that the whole suppression of the same maye make a verie greate alteration in the positiue lawes of the realme; it were well firste to be considered of her Counsell, before the dissolution.

An objection. It is dishonorable to the Queene, havinge supreme authoritie to be dispensed withall, by the Archbishoppe, being a subject, and inferior.

The aunswere. *Archiepiscopus Cranmerus erat judex divortii inter Regem Henricum* 8^um^. *et Reginam Katherinam. Tulit sententiam, nec in eo quicquam derogatum est honori regio. Nec absurdum est, aut honori dissonum, ut Episcopi et Presbyteri istas ecclesiasticas functiones, etiam principibus et regibus exerceant.*

To dispense in cawses accustomed, is by the Queene and Parliament graunted and invested in the Church, and in the Archbishoppe of Canterberie, and is made parte of the revenue of his bishopricke, and taxed in the same. And the Archbishoppe chargeable thereafter with *first frutes*, *tenthes*, *subsidies*, and other like ordinarie charges; and *sede vacante*, the same right is invested in the Deane and Chapiter of Canterberye.

Whoso holdeth, that pluralitie of benefices is by Gods lawes forbidden, erreth: not consideringe, that the distinctions of archbishopricks, bishopricks, dioceses, parishes, jurisdictions, &c. are not of the lawe of God, but of a positive lawe. For as bishopricks have chardge over manie parishes; soe we see that sum one benefice hath ix or x chappelles annexed, and is in lawe taken for one benefice.

And what more absurditie is it for one man to have two benefices, than to have one benefice with soe many chappels annexed?

Number XVI.

Means how to settle a godly and charitable quietness in the Church, &c. Offered to the Archbishop; with his answers. 79

INPRIMIS, That it woulde please his Grace to forbear to presse any to such subscriptions, as have bin of late requyred, seinge in the Parliament, when the Articles agreed in synode were established, that subscription was mislyked, and put out, which seemed to be requyred in the booke made in the tyme of King Edward. Chap. xi.

Answere.

In the tyme of Kinge Edward, the self same subscription was requyred: as it appeareth by the Kings owne letters, wrytten to the Bishop for that purpose, in the 7th yeare of his reign.

It is moreover in all reformed Churches used, that the Ministers thereof subscribe, not only the poynts of doctryne, but of ceremonies, and discipline also therein taught and used. And by law now in force, the Ordinarie may requyre the same of his owne authoritie, thoughe he was not by further *commission* warranted soe to doe. Nether ys there anie thing now done, towching *subscription*, which hath not bene vsuallie practised from the beginning of her Majesties reigne.

Article.

That the ministringe of the Articles, *ex officio*, lately used, may be forborne, seinge they are against the lawe and libertie of the land, vppon no occasion of suspicion of mysdemeanor to make a man to accuse himself: and besides the statute *primo* of her Majesties raigne, and the XXXIVth Article requyre an open and wyllfull action, and therevppon a conviction; and doe not establish any such inquisition.

Answere.

It is a mere surmyse, proceadinge of ignoraunce, that this manner of ministringe Articles *ex officio* is nowe newly begonne, beinge the ordinarie course of lawe, prac-

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tized frome the beginninge, not only in this Court of the High Commission, but in the Star-chamber alsoe; Chauncerye, and other courts of like nature.

Neither are theis Articles ministred to any, but such as are notoriously knowne to be offenders in many of them.

The act *primo* of her Majesties raigne doth not take away the authoritie of the Ordinarie; neither yet of the High Commission.

Article.

That such honest and learned Ministers, as have bin of late depryved, or suspended, may be suffered to continue their preachinge: uppon theis cautions followinge, *viz.*

A bond of the sayd Ministers, and some of the principal gentlemen in the shyre, that they shall not preach any erroneous, hereticall, or schismaticall doctryne: nor shall in their sermons, lectures, or preachinge, inveigh or teach any thinge against the Booke of Common Prayer, Articles, and making of Ministers: nor against the dignities of any Arch-
80 bishopps, Bishopps, or other ecclesiasticall persons, by what name soever they may be called, but soberly to teach *Christ Jesus crucified*, and by no means breake or disturbe the order of the Churche; but by all means they can upholde and mantayne the same; and withstand all such as shall willfully and wittingly attempt any thinge to the contrarye.

Answere.

I doe not mislyke of the bonde, but he that shall enter into yt, and yet refuse to subscrybe, in my opinion, is eyther a mere hypocryte, or a very willfull fellowe; for this condition, in dede, conteyneth more then doth the subscription.

Article.

That seinge his Grace is sufficiently authorised by lawe in the booke, to order and decyde all such controversies, as may aryse about the same; that it would please his Lordship, by some open act and interpretation to qualifie the poynts of the booke followinge, that good Mynisters be not subject to the mallice of disloyall Papists and cavillinge sophisticall lawyers, by enforcinge the poynts of the lawe

vppon the breach or omission of every tittle of the sayd booke. BOOK III.

Answere.

I have hetherto expounded soe many douts as have bin moved: which might satisfie any reasonable and quiet man; but my expositions must be of things doutfull in the booke, and not contrarie to any thinge contayned in the same.

Article.

First, That no Mynisters be enforced to reade any piece of the Apocrypha in the service; seinge in the first booke prynted in the beginninge of her Majesties raigne the same is left out, and was after (without warrant of lawe, and contrarie to the statute, which alloweth but three alterations) inserted.

Answere.

This were to alter and change the booke, not to expounde yt.

The Scripture here called Apocrypha, abusively and unproperlie, are *holy wrytings*, voyd of error, parte of the Bible, and soe accounted of in the purest tyme of the Churche, and by the best wryters: ever redd in the Church of Christ, and shall never be forbidden by me, or by my consent: they are in the kalendar of King Edward's latter booke, and prynted the first year of her Majesties raigne; and the alteration of the kalendar, as it now is, is sufficiently warranted.

Article.

Secondly, That in the sacrament of Baptisme none be enforced to use the *sign of the crosse*, yf he shall see cause of superstition, seinge in King Edward's second booke there was a note which left that and certayne other rytes indifferent, to be used, or not to be used: which note ought to have bin prynted in her Majesties booke, and was none of the alterations appointed by statute: and all that was in King Edward's second booke, besides the three alterations mentioned in the statute, ought to be in her Majesties booke, and is warranted as lawe.

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Answere.

This is also to alter, and not to expounde. It was used in the purest tyme of the Church, and the use thereof is both lawfull and profitable. There may be as much superstition in refusing to use it, as there can be in the use thereof: and doctryne must remedie bothe.

Things lawfull may not by and by be abrogated, because they are by some abused.

81 There is noe such note in King Edward's second book, as is mentioned in that article.

Article.

That in the mynistration of the sayd sacraments, the words (*Doest thou believe*) may be pronounced (*Doe yow believe*) to the god-fathers: seeinge the *rubricke* is, that the Mynister, when he speaketh theis words, shall turn to the god-fathers, and not to the chylde, as was in the *rubricke* of King Edward's first booke. And besides, in the mynistration of Pryvate Baptisme, in the booke, yt appeareth, that theis words are to be directed to the god-fathers, &c. which interpret the meaning of the lyke question in the Publicke Baptisme; els contrarietie must be emplied necessarilie in the booke, in the administration of one and the same Sacrament.

Answere.

An unsounde request, smellinge of divers errors and heresies about Baptisme, and proceadinge of ignoraunce, and contrarie to the use of the *prymitive Church*, as it appeareth in Augustine, in many places. Impious allso, and inconvenient; for howe shall the partie baptized be afterwards charged with his promise in Baptisme, if he promise nothing? Or to what purpose should the god-fathers promisse in their own name, &c. seeing the Sacrament is not mynistred unto them? It is the direct way to that heresie of the Anabaptists, which denyed the baptizing of infants.

The Article reporteth vntrulie of the booke, which in this poynt fully agreeth with it self, and against the articulator.

Article.

That all baptyzing by mydwyffs and women (which is a

cloke of Poperie, and was first used by heretykes, and condemned in them by the ancient Fathers, and lykewise by the fourth Counsell of Carthage; afterwards notoriously corrupted and falsified by Gratian, and other, for the maintenance of the sayd unlawful act) may from henceforth be inhibited and declared voyde; and that no Bishop, or any of their officers, in the admitting of mydwyffs, do give them any such authoritie to baptize, as heretofore hath bin accustomed.

Answere.

It is a question, whether yt be lawfull for women to baptize or no, in the tyme of necessitie: it is certaine that women in that case did circumcise without blame: and divers of the Fathers, and some also of the best learned of the latter wryters, are of opynion, that it is lawfull for them so to doe. But that the Baptism mynistred by women is lawfull and good, howsoever they mynister yt, lawfully or unlawfully, (so that the institution of Christ, touching the *words* and *element*, be dulie used,) no learned man ever douted, untill now of late, some one or two, who, by their singularitie in some poynts of religion, have don more harme, and given to the adversarie greater advantage, then any thinge ells coulde doe.

Neither any of the Fathers, nor that Councell ever condemned the baptyzing of women, in the case of necessitie, and extraordinarilie.

But that they should baptyze ordinarilie and without necessitie, the Papists themselves doe not allow. I never herde that any Bishopp professing the Gospell did give any such authoritie to myddwyffes.

Article.

That in the solemnisation of marriage, no Mynisters be enforced, vppon the deliverie of the rynge, to use the words, being vayne, but to leave the same indifferent.

Answere. 82

A most vayne request, to use the thinge, and not the words; as thoughe *dumbnes* in ceremonies were most tollerable, which hithertoo hath bin soe greatlie by themselves condemned.

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Article.

That his Grace forbere to urge the precyse wearinge of the gowne, capp, typpett, surples; but to leave it indifferent, without condemninge eche other: and yet, nevertheles, enquirie to be made, whether all Mynisters doe use apparrell mete and decent for their callinge, as was in the articles of his Lordships visitation, anno 1580. when he was Bishop of Worcester.

Answere.

The lawe urgeth yt, and decencie doth requyre yt. And yt is the same comely apparrell which I then requyred, and they used. But some beinge ashamed of their callinge, or not daring to displease their dames at home and abrode, had rather goe like mere laymen, or ruffians, then to weare the apparrell prescribed.

Article.

That such as are readers of lectures, and have not *curam animarum*, but have bin lysenced to preach, behavinge themselves well and dutifully, and bound for their good behaviour (as is before declared) be not enforced to mynister the sacraments, unles they shalbe contented soe to doe; or ells, beside their Orders, shall have some other spirituall cure.

Answere.

A verie unreasonable request. For why should any man be suffered to preach the worde, who disdayneth to mynister the sacraments? This readership, which otherwise they terme and call doctorship, and thereby exalt themselves above the ordinarie Pastor and Mynister, is a degree invented of themselves, but without warrant either of the lawe of God or man. And yt hath wrought much troble in this Church. Wherefore I cannot allowe of any such distinction; and yt is against their own platforme, wherein yt is set downe that, *idem debet esse minister verbi et sacramentorum*. But in truth, they have inconstant heads, and one platforme cannot please them longe, thoughe yt be of their owne devysinge.

Number XVII.

BOOK III.

A note of certen other actes, very meete, in my opinion, to be considered of in the Convocation-house, and to come from them. 83

AN act to make *incest* felony, to bee sett downe betwene what persons *incest* is commytted. Which act may serve for an exposition of the statute, made in the tyme of King Henry the Eighth, touching persons, betwene whom in degrees of consanguinitee, &c. marriage may be lawfully contracted, and are not repugnant to the Leviticall lawe and the sayd statute. I. Chap. xi. Chart. MSS. Whitgift.

An act against *polygamie*, to make it fellony to be married at once to two wyves; or two husbands, willingly and wittingly, to the great abuse of the Churche, and offense and sclander of the State, unlesse it shall be after a sentence of divorce *indirectly* given for cause of adulterie, and none otherwise: with a *proviso*, that if any of the parties shall bee able to make prooff, that he or she knew not of such a pre-contract of the other; then the party ignorant to be spared, and the issue, by reason of the ignorance and good fayth on the one side, not to be adjudged bastard, but lawfull. II.

Answere.

I wish with all my hart some speciall and great punishment for theis enormitees: and I thinke that by the lawes allreadie established, the same may be devised. But I will not bee the perswader of lawes in suche cases, tending to death, for dyverse considerations, which I will bee readie to shewe, as occasion shall serue. Neuerthelesse, I think that it is lawfull to make such statutes, if it bee thought needfull or expedient.

I know not what is meant by *indirectly:* but this would authorize marriage in both parties, after divorce for adulterie, which is a matter not fully resolved on among Diuines, and may breed collusive divorces, or willfull breache of wedlock, to the entent to marye elsewhere.

Touching the degrees of consanguinitee and affinitee,

BOOK III. which make incest, they bee fully explaned in a table, agreed vpon by the Bishoppes in their synode, in the tyme of Archbishopp Parker, and thereby thoroughly knowen and executed in all ecclesiasticall courtes. So that there shall need no act of Parlement for this matter.

III. An act touching patrones presenting vnlearned and vnfit Clerkes to benefices of their guyfte and collation; that notwithstanding any Orders geven to any such person, whereby he may challenge the name of a Clerk, the Ordinarie shall not upon presentation of any suche be constreyned to institute and induct him, unlesse he be learned in the Latin tongue, and hable to geve an accompt of his fayth in the sayd tongue, and bring fourth good proffe of his honest lyfe, according to the statute made in XIIIth of her Majesties reigne. And no *Quare impedit* shall be admitted, unlesse the Clerk presented be so qualified. And, that if vpon admonition within certeyn dayes, the patrone do not present another meet person, that then his collation shall be voyd, and taken as fallen into the lapse.

Answere.

This is provided for in the Articles lately sett out, much to this effect: but there, it pleaseth them not.

84 An act to dishable all such Clerkes as haue bene made
IV. Ministres synce XIIIth of her Majesties reigne, being vnlearned in the Latin tongue, and not qualified according to the sayd statute. And a penaltee upon that Bishopp that shall hereafter ordeyne any suche. And the partie being notoriously convicted, not to be qualified according to the sayd statute, to be *ipso facto* irregular, and his livings voyd.

Answere.

The first parte of this Article is against charitie, unlesse the parties be also found criminouse. The rest of it is provided for allreadie in the foresayd Articles, which are so greatly by some (though unadvisedly) condemned.

V. An act to dishable, and make irregular, and for ever incapable of any spirituall promotion, all suche persons as haue bene at any tymes convicted of murder, manslaughter, adulterie, incest, buggery, polygamie, or having of two

wyves at once; fornication, stealth, usurie, perjurie; or are to be charged with common and continuall drunkennesse, blasphemy and swearinge, fighting and quarrelling; that notwithstanding any Orders receaved, they shall not be admitted to any spirituall charge; but that upon notice and prooffe thereof before the Ordinary, &c. the Patron may present a new Clerk, and for default thereof, the same to fall into the lapse, to be collated as the manner is in suche cases.

Answere.

Some parte of the Article is too rigorouse, and smelleth of Donatisme: the vices are by law sufficiently provided for allreadie, and are such as men may both be depriued for, and also degraded from the ministerie; as diverse haue bene within this twelve moneth, for lesser faultes then some of them. And therefore it is needlesse to troble the Parlement therewith; especially the law warranting deprivation or deposition, where, vpon such lyke faults, the Ministre is infamous and scandalous.

VI. An act, that if any person, being first a Ministre, or havinge receaved Ordres, according to the maner of the Church of England, shall after become a massing Preist or Jesuite, or of the Seminarie of Rome or Rhemes, and then retourne to the ministerie agayne: the same partie shall for ever be dishabled to be receaved into the ministerie any more, and a penaltee to be imposed vpon him that shall presume to do otherwise.

Answere.

This also smelleth of Donatisme. It is agaynst the rule of charitee, and tendeth to the condemnation of many singular instruments in the Church of Christ, which haue so fallen; but risen agayne. It doth, in a maner, seclude repentance. It is also contrary to the practise of old canons, and to most of the late reformed Churches.

VII. An act, that no recusant, *viz.* not conforming himself in going to the church, according to her Majesties lawes heretofore published, shall present any Person, or Clerk, to any

BOOK III. benefice, or spirituall promotion in their guifte; but the same to be esteemed upon the death of any incumbent as voyd, and in the lapse: neuerthelesse without any disherison, or prejudice to the partie, his heyres or assignes; but onely during the tyme of the recusancie of the patron, and no longer, yf he or they shall in matters of religion conforme themselues, as they ought to do.

85 *Answere.*

It is needlesse. For either they must present such as are qualified according to lawe, or ells suffer the benefice to fall into lapse. I never did know any unsound person admitted to any benefice in respect of such patrones. But there are some patrons of that disposition, that will rather suffer the benefice to fall into the lapse, then by presenting, to acknowledge the authoritee of the Bishopp. Besides, that it may be eluded and frustrated by sales vpon trust of the right of patronage to some frende, which is outwardely conformable.

VIII. An act to call back and make voyde all such advowsons and leasses, as haue bene made by any Bishopp, to the defrauding of their successor, and contrary to their owne canons published, unlesse the same shall haue bene made vnto her Majesty.

Answere.

It is altogether needlesse. For the law doth allreadie make them voyde. Neither is there any doubt thereof. And the exception of such as are made to her Majesty, ouerthroweth the rest of the Article.

The author of theis Articles would seeme to make doubt, where none is, and to devise lawes for thinges allreadie sufficientlye provided for by lawe. Which may argue a zeale, sed non secundum scientiam.

Number XVIII.

Decreta Cleri Cantuariensis in Synodo. Londini, anno 1584.

Ut homines idonei ad sacros Ordines, et beneficia (uti vocant) ecclesiastica admittantur.

PRIMO cautum est, ne quis post hac ad sacros Ordines suscipiatur, qui non eodem quoque tempore præsentationem sui ipsius ad beneficium aliquod intra diocesim sive jurisdictionem ejusdem Episcopi, a quo sacros Ordines petit, tunc vacans exhibuerit: vel qui non eidem Episcopo certum, verum, et indubitatum certificatorium attulerit de ecclesia aliqua intra diocesim sive jurisdictionem dicti Episcopi, in qua curæ animarum inservire possit. Vel qui in aliqua cathedrali aut collegiata ecclesia, vel collegio Cantabrigiensi, aut Oxoniens. non fuerit constitutus: vel saltem, qui ab eodem Episcopo in beneficium aliquod, sive ad curam (uti vocant) inserviendam tunc etiam vacantem, non sit mox admittendus. Chap. xii.

Deinde ne quis Episcopus posthac aliquem in sacros Ordines cooptet, qui non ex sua ipsius diocesi fuerit: nisi vel ex altera nostratium Academiarum proderit: vel nisi literas (ut loquuntur) dimissorias ab Episcopo, cujus Diocesanus existit, attulerit, et vicesimum quartum ætatis suæ annum jam compleverit, ac etiam in altera dictarum Academiarum gradum aliquem scholasticum susceperit. Vel saltem nisi rationem fidei suæ juxta Articulos illos Religionis in Synodo Episcoporum et Cleri approbatos, Latino sermone reddere possit, adeo ut sacrarum literarum testimonia, quibus eorundem Articulorum veritas innititur, recitare etiam valeat: ac ulterius, de vita sua laudabili et morum integritate literas testimoniales sub sigillo, vel alicujus collegii Cantabrigiens. aut Oxoniensis, ubi antea moram fecerit, vel alicujus Justiciarii ad pacem D. Reginæ conservandam assignati, una cum subscriptione et testimonio aliorum proborum et fide dignorum hominum ejusdem parœciæ, ubi per tres annos ante proximè elapsos commoratus est, exhibeat.

BOOK III.

Quod si vero aliquis Episcopus aliquem ad sacros Ordines admiserit, qui prædictis qualitatibus non sit præditus,
86 is per Archiepiscopum, assidente sibi hac in parte uno alio Episcopo, ab ordinatione Ministrorum et Diaconorum per integrum *biennium* suspendatur, ac eam præterea pœnam incurrat, quæ de jure in ejusmodi Episcopos, qui ad Ordines ecclesiasticos sine titulo aliquem promovebunt, statuitur.

Adhæc, nequis Episcopus aliquem in beneficium (uti vocant) instituat, nisi qui prædictis conditionibus ornatus fuerit.

Quod si Curia de Arcubus aut Audientiæ per viam duplicis querelæ, seu alio quovis modo contra Episcopum hac in parte agat, quia homines minime idoneos ac habiles admittere renuit, tunc licebit Archiepiscopo, vel auctoritate propria, vel gratia speciali ab regia Majestate impetrata, ejusmodi processus amputare, quo laudabilis Episcopi industria debitum ea ratione sortiatur effectum.

Quod si patronus quispiam Clericum aliquem ad beneficium aliquod præsentaverit, qui prædictis qualitatibus non fuerit imbutus, licebit etiam Episcopo ejusmodi præsentationem rejicere, nec brevi illo de Quare impedit, nec ulla alia ratione cogetur eundem instituere, aut ea de causa ullum legis periculum subire.

Denique ut quolibet anno ad festum S. Michaelis Archangeli, vel intra sex hebdomadas idem festum subsequentes, unusquisque Episcopus, numerum, nomina, gradus, et qualitates eorum omnium quos in sacros Ordines, vel in aliqua beneficia eodem anno præcedente promoverit, ad Archiepiscopum transmittat.

De moderanda solennis pœnitentiæ commutatione.

Ne qua fiat posthac solennis pœnitentiæ commutatio, nisi rarioribus gravioribusque de causis, atque adeo cum ipsi Episcopo constiterit, eam esse ad reum reconciliandum et reformandum ad saniorem et tutiorem rationem.

Deinde, quòd mulcta illa pecuniaria, vel in relevamen pauperum ejusdem parœciæ, vel in alios pios usus erogetur,

idque Ecclesiæ solenniter et fideliter approbetur et innotescat. BOOK III.

Quod si vero crimen fuerit notorium et publicum, reus ipse, vel in propria sua persona publice in ecclesia pœnitentiam suam minime fictam profitendo, læsæ ecclesiæ satisfaciet, vel ecclesiæ Minister in præsentia ipsius rei palam e suggestu ejus submissionem et pœnitentiæ suæ coram Ordinario suo per actionem, atque etiam in veræ suæ resipiscentiæ testimonium, quantam pecuniarum summam in usus supradictos erogandam reddiderit, denuntiabit.

De moderandis quibusdam indulgentiis pro celebratione matrimonii, absque trinundina denuntiatione, quam bannos vocant matrimoniales.

Quandoquidem honestæ, claræ, ac illustris conditionis homines, sive urgente aliqua necessitate, sive aliis non contemnendis rationibus, matrimonium aliquando celebrandi causas habere possunt, facultate sibi de bannis matrimonialibus aut non omnino, aut semel iterumve denuntiandis indulta, sine aliquo gravi scandalo seu detrimento: idcirco ad evitanda generaliter quæ hac in parte notantur incommoda, visum est caveri, ne ullæ facultates sive indulgentiæ de celebrando absque bannis matrimonio concedantur, nisi idonea cautio prius sub hisce conditionibus ineatur: nimirum, primo, quòd nullum postea constabit impedimentum, præcontractus, consanguinitatis, affinitatis, vel ullius alterius legitimæ causæ cujuscunque ratione: secundo, quòd eo tempore, quo ejusmodi facultas sive indulgentia concedetur, nulla controversia, lis, seu querela mota est vel dependet coram aliquo Judice ecclesiastico aut civili, de ejusmodi legitimo impedimento matrimonii inter hujusmodi personas, contrahendi aut contracti: ac tertio, quod ad nuptiarum solemnizationem non accedent, nisi assensu et expresso consensu parentum sive tutorum prius impetrato. Et ulterius, quod matrimonii celebratio publice ac tempestive in 87
facie Ecclesiæ fiet. Cujus quidem cautionis formula seu exemplar in scriptis concipietur, ac unicuique Episcopo in sua cujusque diocesi imitanda proponetur.

Proviso semper, quod quicunque contra hanc ordinatio-

BOOK III.

nem deliquerit, ab executione officii per sex integros menses suspendetur.

De quibusdam circa excommunicationem excessibus coercendis sive reformandis.

Quia excommunicationis usus in Ecclesia perpetuæ legis vigorem jam obtinuit, atque in omni jurisdictione ecclesiastica exercenda hucusque retinetur, ideo absque grandi mutatione totius ejusce jurisdictionis et plurimarum hujus regni legum, innovari vel alterari nequit. Nihilo minus ut excommunicatio (quæ auctoritatis ac disciplinæ ecclesiasticæ quasi nervus quidam ac vinculum habendum est) ad pristinum suum usum, decus et dignitatem reducatur. Cautum est, ut quotiescunque censura ista in immediatam pœnam cujusvis notoriæ hæreseos, schismatis, symoniæ, perjurii, usuræ, incestus, adulterii, seu gravioris alicujus criminis venerit infligenda, sententia ipsa vel per Archiepiscopum, Episcopum, Decanum, Archidiaconum, vel Præbendarium (modo sacris Ordinibus et ecclesiastica jurisdictione præditus fuerit) in propria persona pronuntiabitur, una cum ejusmodi frequentia et assistentia, quæ ad majorem rei autoritatem conciliandam conducere videbitur.

Denique quod unusquisque Vicarius Generalis, Officialis, seu Commissarius, qui Ordines ecclesiasticos non susceperit, eruditum aliquem Præsbyterum sibi accerset et associabit, qui sufficienti auctoritate, vel ab Episcopo in jurisdictione sua, vel ab Archidiacono (Presbytero existente) in jurisdictione sua munitus, idque ex præscripto ipsius Judicis tunc præsentis, excommunicationis sententiam pro contumacia denuntiabit.

Volumus etiam, ut sicut constitutum est, ejusmodi excommunicationem per Ministrum Ecclesiæ denuntiari; ita ipse judex de absolutione ipsius rei post satisfactionem suam peractam, eundem Ministrum certiorem faciet, qui eandem absolutionem populo publicè denuntiabit: ac interim quod bene licebit dicto Ministro reum a sacris arcere, et repellere, tanquam in Ecclesiam minime recipiendum, donec ejusmodi certificatorium ab ipso judice exhibuerit.

De beneficiorum pluralitate cohibenda.

Quod nemini imposterum facultas sive indulgentia concedetur, de pluribus beneficiis simul retinendis, nisi hujusmodi tantum, qui pro eruditione sua et maximè digni, et ad officium suum plenius præstandum maxime habiles et idonei censebuntur: nimirum, ut is, qui hujusmodi facultate fruiturus est, sit ad minimum Artium Magister, et publicus ac idoneus verbi Divini concionator: ita tamen, ut idonea etiam cautione obstrictus teneatur, de personali sua residentia in singulis beneficiis per bonam anni cujusque partem facienda, et quod ejusmodi beneficia triginta milliarium spatio ad summum non distent ab invicem. Denique quod idoneum Curatum habeat qui plebem ejus parœciæ, in qua non residebit, instituat ac informet, modo facultates ejusdem beneficii talem commodè sustinere posse Archiepiscopo vel ejus dioceseos Episcopo videbuntur.

De feodis quæ officiariis ecclesiasticis et eorum Ministris debentur.

Cautum insuper volumus, quod neque alia, neque majora feoda ab Episcopo, Ordinario, Archidiacono, vel eorum ministris, deinceps ulla de causa percipiantur, quàm ea quæ, ineunte hoc regnum regia nunc Majestate, percipi solebant. Quodque tabula quædam singulorum hujusmodi feodorum summas continens, in quolibet consistorio, ante festum S. Johannis Baptistæ proximè venturum signatur, cujus exemplar, manu ipsius Ordinarii subsignatum, intra tempus prædictum ad Archiepiscopum transmittetur.

Proviso semper, quod neque Archiepiscopo, neque Epi- 88
scopo, vel directè vel indirectè, aliquam pecuniarum summam pro admittendis ad sacros Ordines hominibus, accipere licebit, idque sub pœna juris.

Memorandum, To take order that so soone as conveniently it may be, at the least within one year after the end of this synod, every Bishopp do make enquirie of the condition, state, learninge, and quality of the Ministers within his dioces, by whome and when they were ordered, and of

BOOK III.

what calling they were before they were ordered: and the same to certifie to the Archbishopp within the saide tyme.

Allso, That every Bishopp in his dioces make enquyrie of the valuation of the personages, vicarages, curatshippes, and other ecclesiasticall lyvings within his sayd diocese, as they are in the Quenes booke, if they be there valued: or yf they be not there valued, accordinge to their common estimation. And how many *impropriations*, of what value, and to whome they belong, within the saide diocese. And the same lykewise to certifie to the Archbishopp before the tyme before lymited.

Number XIX.

The option of the prebend of Layton Buzzard, granted to the Archbishop by Wickham, confirmed Bishop of Lincoln.

Chap. xii. Regist. Whitg. fol. 22. vol. i.

OMNIBUS Christi fidelibus, &c. Cum tam de antiqua laudabili longævaque et legitimæ præscriptionis consuetudine, hactenus inconcussè usitat. et observat. quæ etiam de singulari prærogativa ecclesiæ metropoliticæ Christi Cantuar. fuerit et sit usitat. et observata; quod Archiepiscopus Cantuarien. pro tempore existens, cuilibet Suffraganorum in Episcopum alicujus ecclesiæ cathedralis, sive Cantuar. provinciæ elect. statim post confirmationem electionis hujusmodi, unum Clericum idoneum nominare et præsentare possit. Cui idem elect. confirmatus tenebitur, quamprimum facultas se obtulerit in suæ ecclesiæ cathedrali de canonicatu et præbenda, seu de alio competente beneficio ecclesiastico providere. Ac interim dictum Clericum, ad dignitatem, canonicatum et præbend. seu beneficium hujusmodi sic promovendum, acceptare, et admittere: necnon sibi pensionem annuam [a] sufficientem constituere tantisper solvend. et impendend. quousque eidem Clerico de aliqua dignitate, canonicatu et præbenda, vel alio competente beneficio hujusmodi, sufficienter fuerit cautum et provisum:

[a] Quæ pensio fuit summa quinque librarum per annum.

Sciatis nos præfat. Wilhelmum Lincoln. Episcopum an-

tedictum, jura, libertates et consuetudines, &c. pro posse nostro adimplere volentes ex causis et consideratione prædict. ac in plenam satisfactionem eorum pro nobis et successoribus nostris, dedisse, concessisse, et hoc præsenti scripto nostro, confirmasse reverendiss. in Christo Patri, et Dom. Dom. Johanni, &c. executoribus et assignatis suis, advocationem, nominationem, &c. et jus patronatus canonicat. et præbendæ de Layton Buzzard in ecclesia cathedral. beatæ Mariæ Lincoln. nostrorumque patronatus et dispositionis existent. Cum per mortem, resignationem, &c. vacaverit, habend. et retinend. &c. præfato reverendiss. Patri, executoribus et assignatis suis, dictam advocationem, &c. pro termino vigenti unius annorum proximè, &c. sequente. &c. Ita quod benè liceat et licebit præfato reverendiss. executoribus et assignatis suis, quamcunque personam idoneam ad dict. canonicatum, &c. cum primo et proximè post dat. præsentium, &c. vacare contigerit pro termino viginti et unius annorum, nominare et præsentare, &c.

Proviso tamen, quod quamprimum contigerit hanc nostram donationem, &c. durante prædict. termino 21. annorum, &c. pro unica et proxima vice, &c. suum debitum sortiri effectum, &c. quod ex tunc jus patronatus, &c. ad nos et successoribus nostris integrè revertatur.

Number XX.

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Literæ significatoriæ, ad vim laicalem amovend. in ecclesia de Pevington.

ILLUSTRISSIMÆ et invictissimæ in Christo Principi, et Dominæ nostræ Elizabethæ, Dei gratia Angliæ, Franciæ, et Hiberniæ, Reginæ, Fidei Defensori, Johannes divinâ providentiâ Cantuarien. Archiepiscopus, totius Angliæ Primas et Metropolitanus, omnimodam reverentiam, subjectionem, honorem, gratiam et felicitatem perpetuam in eo, per quem reges regnant, et principes dominantur. Vestræ serenissimæ regiæ Majestati, tenore præsentium, signifi-

Chap. xii. Registr. Whitgift. vol. i. fol. 98.

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camus et notum facimus, quod quidam Laici, salutis suæ immemores, possessionem Johannis Hynde Clerici, Rectoris ecclesiæ parochialis de Pevington nostræ Cantuar. diocesios, in dicta ecclesia, ad quam dudum auctoritate legitima admissus fuerit, in officii nostri et libertatis ecclesiasticæ ac juris prædict. Johannis Hynde non modicum præjudicium, (ut asseritur) impediunt et perturbant.

Idcirco sublimitati vestræ regiæ ad humilem petitionem dicti Johannis Hynde, Rectoris prædicti, humiliter supplicantis, quatenus ad hanc vim et potestatem amovend. brachium regalis potentiæ, solita vestra clementia, apponatis. Ut inimicorum Christianæ disciplinæ vis sic per vestrum reprimatur subsidium; ac libertas ecclesiastica sub vestræ defensionis clypeo, tuta maneat et illæsa, vestraque clementissima regia Majestas exinde retributionem condignam a Deo consequi valeat; qui eandem vestram excellentissimam Majestatem, ad ecclesiæ et populi felix regimen per tempora diuturna servet in prosperis. In cujus rei testimonium sigillum nostrum præsentibus apponi fecimus. Dat. 16. die mensis Julii, an. Dom. 1584, et nostræ translationis anno primo.

Number XXI.

Commissio ad vendicand. Clericos convictos, in villa de Croydon.

Chap. xii.

JOHANNES divina providentia, &c. dilecto nobis in Christo Samueli Finch, Clerico, Vicario vicarie perpetue ecclesie parochiali de Croydon in comitat. Surrey, ecclesie nostre cathedralis et metropolit. Christi Cantuar. jurisdictionis immediate, &c. salutem et gratiam. Ad vendicand. exigend. recipiend. et examinand. quoscunque Clericos coram quibuscunque justiciariis Domine nostre Regine, de et super feloniis quibuscunque infra Croydon in com. Surrey ecclesie nostre cathedral. et metropolit. Christi Cantuar. prædict. impetitos, indictatos, sive convictos: atque hujusmodi Clericos ad beneficium et privilegium clericale in casibus a jure et consuetudine, ac hujus regni Anglie sta-

tutis admissis et approbatis, recipi et admitti, petend. et requirendum: cæteraque omnia et singula alia faciend. exercend. et expediend. que impremissis, et circa ea, necessaria fuerint, seu quomodo libet opportuna, vobis, de quorum fidelitate et circumspectione, et industria in hac parte confidimus, conjunctim et divisim committimus vices nostras, et plenam in Domino, tenore presentium, concedimus potestatem. Vosque Commissarios nostros ad omnia et singula premissa exequend. conjunctim et divisim ordinamus, deputamus et constituimus per presentes. In cujus testimonium sigillum nostrum apponi fecimus. Dat. 17. die mensis Julii 1584, et nostre translationis primo.

Number XXII. 90

The answer of Wolton, Bishop of Exon, to an information, consisting of fifteen articles, brought against him to the Archbishop of Canterbury, and others of the ecclesiastical commission.

WHICH answer was thus entitled: "An Answer by me "John, Bishop of Exon; true, as I shal answer before "God at the great day, and before men upon my oath, "when I shalbe called to answer to certain articles exhi- "bited against me; I perfectly knew not by whom; but I "suspect by one Pagetts means: and sent unto me in a "letter by my Lord Archbishop of Canterburies Grace, "and came to my hand the 29. of April, 1685." Chap. xiii. Literæ episcopal. penes me.

First, I never visited the whole dioces in any triennial visitation, for causes hereafter expressed: albeit I have, in my own person, as occasion served, and matters of importance were offered, been twice or thrice in the most part of market townes in Devon and Cornwall. I.

My first visitation appointed, and the days and places published for people to meet, I fell suddenly sick, and was enforced to use the help of Dr. Townsend and other learned men: who took away letters of orders from certain persons: some to terrifie such as had been neg- II.

BOOK III.

ligent in their studies: some, for that the parties were unworthy of them: and other some suspected to be counterfeited. The first sort I redelivered with consent; the parties promising and performing amendment. The two other sorts of letters I cancelled.

III. IV. In my second visitation, I visited in person the cathedral church of Exeter. The second day I came not to the assembly in the next church, my wife having upon her the pangs of death, as the physicians supposed, yet she respiring, I went on my visitation to Molton and to Barnestable, xxxi miles from Exceter. There a messenger came unto me of the hard case of my wife, and that she prayed me to see her before her death. In this great difficulty I substituted Mr. Archdeacon Cole and Mr. Barret, then with me. And that of necessity, lest the people forewarned might assemble in vain. And repairing to my wife, after some communication with her and her physicians, I rode back again into Cornwall, to a market town called Tregney, eighty miles from Exeter: and there met my visitation, and visited my self.

My said substitutes were men learned, both of them Graduates in the Universities; and one of them at that time a Master of Arts of eight years standing. If they used themselves as the articuler setteth down, why were they not heretofore complained of to the Lords of her Majesties most honorable Privy Counsil, to her Majesties High Commissioners, or to my Lord Archbishop, or to the Judges of Assize, or to my self? And why are their faults not now distinctly set down? Shal that be judged an offence to the godly, which phanatical Pagett will have so; whose bold ignorance and wilful contempt of laws, my said substitutes detected to the people in that visitation?

V. I was, in the late days of trouble, an exile in Germany: and have been a preacher, admitted and exercised therein, these twenty-three years. I read the divinity lecture in Exceter twice weekly four years, and preached twice every Sabbath. I onely, with one other, remained here in Exceter in the great plague time, preaching publickly, and

comforting privately such as were infected with the plague. This last summer, lying at my *commendam* in the country, I preached every Sunday: and elsewhere have had a dutiful care of my charge: and, if God give grace, will do my endeavour to perform my duty. But what wil Pagett accuse me, if being old I be not so strong as when I was young? Or for that now hearing and composing, as a pub- 91
lic person, matters incident to my calling, I cannot do al things, and be in al places? The residue of the article being untrue and reprocful, I omit; knowing that God wil destroy lying and deceitful tongues.

VI. What need I to buy one benefice; and could then sell another? This is the truth. The vicarage of Newlyn, of my gift, lying eighty miles from me, I bestowed upon a grave, learned gentleman, a Minister, Mr. Blewit; he having another benefice, of vii*l.* or viii*l.* yearly, within four miles of the same. And he gave me another benefice within twenty miles of me, then void; whereof he, the said Blewit, had the advowson. And I chose that for my son, in respect of his propinquity unto me. My son, as I took him (and yet take him) at that time to have been of the age of three and twenty years: a student then in Cambridge, and hable now to answer Mr. Pagetts opposition in arts or tongues.

VII. I never borrowed a loan of the whole Clergy in my necessity. I borrowed of fourteen or fifteen of my brethren of the Clergy, 5*l.* a piece, to prepare me necessaries for my house. I have paid eight of them, and have taken up my bills. I have further respit of others, without dislike of them, or clamour of the people. What offence is this?

VIII. I gave Mr. Barret the archdeaconry of Exon: who hath been trained up in learning al days of his life; a student in bothe Universities, and a Graduate: one that read with commendation the divinity lecture in Exceter. The salary whereof being but x*l.* yearly, he took charge of a little cure near the place of his lecture, for his better maintenance. I humbly pray he may be tryed in the Universities, at Powles Cross, or otherwise; and if he shew not

BOOK III. himself worthy, let him be punished. He married my daughter about one year after I gave him the archdeaconry; I hope without offence of God and good men.

IX. Mr. Cole, a Master of Arts of eight years standing, and of as great towardness as any of the University in his time; after he had been a travailer at Geneva, and other Universities in France, in respect of his learning, and that he was some time my scholar; I took him, his wife, and servants, into my house, and gave them their tables almost two years. And the archdeaconry of Totnes falling void, I gave him. He dyed, leaving me in danger to pay for him xx*l.* Brewton is now in London, and wilbe, before my Lord Archbishop of Canterbury, and my Lord Treasurer, and me, deposed, whether he gathered any of the profits for me: which I utterly deny. And touching Mr. Coles dying in debt, what is that to me?

X. After Mr. Coles death, I bestowed the said archdeaconry upon Mr. Swete, a Bachelour in Divinity: of whom I have not nor am to have any profit. He is not, by any promise, covenant, nor bond, to resign it. If Brewton gather the profits, let him be examined upon his oath for whom or wherefore. Mr. Swete hath these two years last past given a son of mine in the University only fourty shillings yearly; but without any desire of mine, or promise, binding him to continue it. And this is al that ever I had of Mr. Swete.

XI. I gave the archdeaconry of Barnstable to my cousin, Mr. Lawe, a Master of Art of three years standing; a man of as great towardness in the tongues, liberal arts, and divinity, as any is of his time in England: and is so at this day reported in Oxenford: who now readeth in Exceter a divinity lecture in the Latine tongue, to the ministry of this dioces that list to repair to it. I suppose he had not above xx*l.* yearly out of the same, the archdeaconry, together with the house, being before his time let out to lease; and the portion he had out of Ashwater. Which benefice, which was given him by Mr. Arscot, I think could not be much, the title of the *benefice hanging* in

suite of *Quare impedit* these two years. I have given him his diet these two years, and lent him out of my purse neer about xx*l.* for his necessaries: which he paid me not before the 25. of March last past.

XII. I have been careful to admit neither boys, nor ignorant men, Ministers. And I wish the numbers and names of such persons had been specified in the article. If within these six years since I was Bishop, I have, upon importunity sometimes, of my betters, and others of credit, admitted five or six (for I pledge my credit I have not exceeded the same) not so well qualified as has been requisite; I am as sorry as any mortal man therefore, and heartily beseech God and man of pardon: and wil hereafter be sure not to offend in that behalf. 92

XIII. Touching my son, whom I made Minister, he being, at the least to my knowledge, two and twenty years of age, and one that was to procede Bachelour of Arts the next Act, and at that time of sober and honest disposition: herein I confess my fault, for that he became intractable afterwards; seduced by Nicolls the Jesuit, and others. But I removed him immediately from that calling, (which he never exercised,) and from his little living. And for his lewdness, my self layd him in a common jayle, with irons upon him; a kind of punishments which parents themselves do not commonly inflict upon their own children. And always in this point, I say, with a heavy heart, as St. Augustin sometime said, *Numnam mea domus melior archa Nohæ, quæ Cham recepit et fovit? Domo Abrahæ, quæ Ishmael? Isaac, quæ Esau? Jacob, quæ multos produxerit nebulones? Christi, quæ Diabolum,* &c. Epist. 137.

XIV. I made not my former father in law Minister; he being admitted ten years before I was Bishop. He is not of my dioces, nor had his benefice of me. I have heard he hath been of better credit than this articler speaketh: and that he hath been a harbourer of godly men in their trouble; and is at this day a grave, honest, and godly old man. God wil one day give sentence upon al impenitent slanderers.

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I have called before me Priests and others, for such faults, or suspicions of faults, as have been complained of to me.

XV. And in causes apparent, I have proceeded to punishment according to law. In matters doubtful, I have suspended the punishment, without using that course, as a slight, to procure gain. Why doth not the articler descend to particulars? And since my return from the Parliament, I have restrained commutation of penance with my self and al my officers, according to order set down in that behalf. Wherein if we offend, we wil yield our selves to extreme punishment.

XVI. I had in all my life one only woman servant begotten with child in my house, she said, by one of my men. The man I put out of my house for the space of two years, the woman for ever. And the man, upon his sorrow, and promise of amendment, I received again in my service: who liveth now in matrimony, and with good respect. And I praise God, that this articler is driven to sweep al corners of my house, to cast the dust of malice in my face. God amend us both, and give him a better mind.

Number XXIII.

Assertions of Anthony Randal, of the Family of Love, Minister of Lydford. For which he was deprived by the Bishop of Exon, in the year 1581.

Chap. xiii. Lit. episcopal. penes me.

HE believeth not that the spirit speaking to Eve was a corporal spirit, or material spirit; but to be understood spiritually, or allegorically.

Item, He believeth, that the place of Scripture, speaking of the fruit of the tree which Adam and Eve were forbidden to eat of, is not to be understood, that they did eat any fruit, or that there was any such fruit indeed as literally is set down; but that it is spiritually to be understood.

Item, That there was no place of Paradise: but it was to be understood spiritually, or allegorically.

That the evening and morning were not true literally, as they were allegorically. And that the three first chapters of Genesis were not so true literally as allegorically. 93

Item, He saith, that he cannot put down what he hath learned of *predestination*, or *providence*, without speaking, or at least seeming to speak, against the law of the realm.

He saith, he hath taught openly, and will teach during his life, (being not forbidden by the Prince,) that as many as receive Jesus Christ and his doctrine, do fulfil, keep, and do al the moral law, given by God to Moses: and so to live clean and clear without sinning, or the act of sin. And moreover, that every one that preacheth any doctrin contrary to this, neither knoweth God or his Christ; nor yet the power and strength of the Holy Spirit.

He saith, he never thought the Lord's Supper and Baptism to be sacraments. Because he hath not read the word *sacrament* in the holy Scripture. He alloweth the administration of sacraments, because the magistrate hath established it. But whether it be according to Christ's institution, he referreth it to the consciences of them that have established it.

Then added, that he was none of this Church, meaning the *religion* now professed in England; nor of the Popish Church, meaning the Romanist: but hoped yet there was a third Church, which should stand where both these shal fall.

Concerning the religion now authorized by the Prince, he never, as he said, spake against it in al his life. And he saith further, that whosoever doth murmur and grudge against it in his conscience, being her Majesties subject, doth neither know God, nor yet his holy word, as it is to be known in truth and spirit. And as I judge of this, so do I judge of the *Popish religion*, being authorized by the princes: that is to say, whosoever, being her Majesties subject, doth murmur or grudge in his conscience against the same, doth neither know God, nor yet his holy word, as it is to be known in truth and spirit.

By me Anthony Randall.

The last day of May, anno Dom. 1581, the foresaid

BOOK III. Anthony Randall did voluntarily declare and affirm, that he hath held and taught and maintained al the opinions contained in the foresaid articles. And that he was therefore deprived from the rectory of Lydford. And that at this present he doth hold and maintain the same opinions.

Testified by three Public Notaries,

Nicolas Wyat,
Jasper Bridgman,
and
Edward Marsh.

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Rules and ordinances, made and set forth by the Archbishop of Canterbury, and Lords of the Privy Council, in the Star-chamber, for redressing abuses in printing.

Chap. xiii. MSS. Whitg. penes me.

1. IMPRIMIS, That every printer, and other person or persons whatsoever, which at this time present hath erected or set up, keep, mayntayn, or have any printing presse, rowle, or other instrument for imprinting of books, chartes, ballades, portrayctures, paper, called *damask paper*, or any such matters or things whatsoever, shal bring a true note or certificate of the sayd presses, or other printing instruments, already erected, within ten days next coming after the publication hereof: and of the said presses or other printing instruments hereafter to be erected or set up from tyme to tyme, within ten days next after the erecting or setting up thereof; unto the Master and Wardens of the Company of Stationers of the city of London for the tyme being: upon payne, that every person failing or offending herein, shal have al and every the said presses and other instruments utterlye defaced, and made unserviceable for imprinting for ever. And shal also suffer twelve months imprisonment, without bayle or maynprize.

2. *Item*, That no printer of bookes, nor any other person or persons whatsoever, shal set up, keep, or maintain

any press or presses, or any other instrument or instruments, for imprinting of bookes, ballades, charts, pourtraictures, or any other thing or thinges whatsoever, but only in the city of London, or in the suburbes thereof: (excepte one press in the Universitie of Cambridge, and one other press in the Universitie of Oxforde, and no more:) and that no person shal hereafter erect, set up, or mainteyn, in any secret or obscure corner or place, any such press or instrument before expressed: but that the same shal be in such open place or places, in his or their house or houses, as the Wardeins of the said Company of Stationers for the tyme being, or such other person or persons as by the said Wardeins shalbe thereunto appoynted, may from tyme to tyme have readie accesse unto; to searche for and viewe the same. And that no printer, or other person or persons, shal at any tyme hereafter withstand, or make resistance to, or in any such viewe or searche, nor denie to keep secrett any such press or other instrument for imprinting; upon payn that every person offending in any thing contrarie to this article, shal have al the said presses and other printing instruments defaced, and made unserviceable for imprinting for ever: and shal also suffer imprisonment one whole year, without bayl or maynprize: and to be disabled for ever to keep any printing press, or other instrument for printing; or to be master of any printing-howse, or to have any benefit thereby, other then onely to work as a journeyman for wages.

3. *Item,* That no printer, nor other person whatsoever, that hath set up any press or instrument for imprinting within six monthes last past, shal hereafter use or occupy the same: nor any person or persons shal hereafter erect or set up any press, or other instrument of printing, til the excessive multitude of printers, having presses already set up, be abated, diminished, and by death given over; or otherwise brought to so smal a number of masters, or owners of printing-howses, being of abilitie and good behaviour; as the Archbishopp of Canterbury and Bishopp of London for the tyme being shal thereupon think

BOOK III.

it requisite and convenient, for the good service of the realm, to have some more presses or instruments for printing erected and sett up. And that when and as often as the said Archbishopp and Bishopp for the tyme being shal so think it requisite and convenient, and shal signifie the same to the said Master and Wardeins of the said Company of Stationers for the tyme being; that then, and so often as the saide Master and Wardeins shal (within convenient tyme after) call the Assistants of the saide Company before them, and shal make choice of one or more (as by th' opinion of the said Archbishopp and Bishopp for the tyme being, need shal require) of such persons, being free stationers, as for their skill, abilitie, and good behaviour, shalbe thought by the Master, Wardeins, and Assistants, or the more part of them, meet to have the charge and government of a press or printing-howse: and that within fourteen days next after such election and choice, the saide Master, Wardeins, and fower other at the least of the Assistants of the said Companie, shal present before the High Commissioners in causes ecclesiastical, or six or more of them, whereof the said Archbishopp and Bishopp to be one, to allowe and admitt everie such person so chose and presented, to be master and governour of a press and printing-howse, according to the same election and presentment: upon peyne, that everie person offending contrarie to th'intent of this article shal have his press and instruments for printing defaced, and made unserviceable; and also suffer imprisonment by the space of one whole year, without bayle or maynprize.

4. *Item*, That no person or persons shal imprint, or cause to be imprinted, or suffer by any means to his knowledge, his press, letters, or other instruments, to be occupied in printing of any book, work, copie, matter, or thing whatsoever; except the same booke, work, copie, matter, or any other thing, hath bene heretofore allowed, or hereafter shalbe allowed, before the imprinting thereof, according to the order appoynted by the Queenes Majesties injunctions; and be first seen and perused by the

Archbishop of Canterbury and Bishop of London for the tyme being, or one of them: (the Queenes Majesties printer for some special service by her Majestie, or by some of her Highnes Privy Council, thereunto appoynted, and such as are or shalbe privileged to print the books of the common lawe of this realme, for such of the same bookes as shalbe allowed of by the two Cheefe Justices and Cheefe Baron for the tyme being, or any two of them, onely excepted:) nor shal imprint, or cause to be imprinted, any booke, work, or copie, agaynst the forme or meaning of any restraynt or ordinaunce conteyned in any statute or lawes of this realme, or in any injunction made or sett forth by her Majestie or her Highness Privie Council, or agaynst the true intent and meaning of any letters patents, commissions, or prohibitions under the Great Seale of England, or contrarie to any allowed ordinaunce set down for the good governance of the Companie of Stationers within the city of London. Upon peyne to have al such presses, letters, and instruments, as in or about the imprinting of any such bookes or copies shalbe imployed or used, to be defaced and made unserviceable for imprinting for ever. And upon payne also that everie offender and offenders, contrarie to this present article or ordinaunce, shalbe disabled (after any such offence) to use or exercise, or take benefit by using or exercising of the *art or feate of imprinting;* and shal moreover susteyne six monthes imprisonment, without bayle or maynprize.

5. *Item*, That everie such person as shal sell, utter, or put to sale wittingly, bynde, stitch, or sewe, or wittingly cause to be sold, utterd, put to sale, bound, stitched, or sewed, any books or copies whatsoever, printed contrary to th'intent and true meaning of any ordinaunce or article aforesaid, shal suffer three monthes imprisonment for his or their offence.

6. *Item*, That it shalbe lawful for the Wardeins of the saide Companye for the tyme being, or any two of the said Companie, thereto deputed by the said Wardeins, to make search in al work-howses, shopps, ware-howses of

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printers, booksellers, bookbinders, or where they shal have reasonable cause of suspicion; and al books, copies, matters, and things printed, or to be printed, contrary to th' intent and meaning of these present ordinances, to stay and take to her Majesties use: and the same to carrie into
96 Stationers-hall in London. And the partie or parties offending, in printing, selling, uttering, binding, stitching, or sewing any such books, copies, matters, or things, to arrest, bring, and present before the said High Commissioners in causes ecclesiastical, or some three or moe of them; whereof the said Archbishopp of Canterbury or Bishopp of London for the tyme being to be one.

7. *Item*, That it shalbe lawful to or for the said Wardeins for the tyme being, or any two by them appoynted, without lett or interruption of any person or persons whatsoever, to enter into any howse, work-howse, ware-howse, shop, or other place or places; and to seaze, take, and carrie away al presses, letters, and al other printing instruments, sett up, used, or imployed, contrary to the true meaning hereof; to be defaced and made unserviceable as aforesaide. And that the saide Wardeins shal so often as need shal require, call the Assistants of their saide Companie, or the more part of them, into their saide hall; and there take order for the defacing, burning, breaking, and destroying of al the said letters, presses, and other printing instruments aforesaid: and thereupon shal cause al such *printing-presses*, or other *printing instruments*, to be defaced, melted, sawed in peeces, broken or battered at the smithe's forge, or otherwise to be made unserviceable. And the stuff of the same, so defaced, shal redeliver to the owners thereof agayne within three monthes next after the taking or seazing thereof, as aforesaid.

8. *Item*, That for th'avoyding of the excessive number of printers within this realme, it shal not be lawful for any person or persons, being free of the Company of Stationers, or using the trade or mysterie of printing, bookselling, or bookbinding, to have, take, and keep hereafter at one tyme, any greater number of apprentizes then shalbe

hereafter expressed. That is to say, everie person that hath been or shalbe Master or Upper-Warden of the Company whereof he is free, to keep three apprentizes at one tyme, and not above. And every person that is or shalbe Under-Wardein, or of the Liverie of the Company whereof he is free, to keep two apprentizes, and not above. And every person that is or shalbe of the Yeomanrie of the Companie whereof he is or shalbe free, to keep one apprentize (if he himself be not a journeyman) and not above. Provided alwayes, that this ordinance shal not extend to the Queens Majesties printer for the tyme being, for the service of her Majestie and the realme: but that he be at libertie to keep and have apprentizes to the number of six at any one tyme.

9. *Item*, That none of the printers in Cambridge or Oxford for the tyme being shalbe suffered to have any moe apprentices then one at one tyme at the most. But it is and shalbe lawful to and for the said printers, and either of them, and their successours, to have and use the help of any journey men, being freemen of the city of London, without contradiction: any lawe, statute, or commandement contrarie to the meaning and due execution of these ordinances, or any of them, in any wise notwithstanding.

Number XXV. 97

A question put to Piers, Bishop of Sarum, Whether a prince may defend the subjects of another prince, from being forced to commit idolatry: propounded with respect to the Queen's assisting the oppressed Netherlands: with the said Bishop's answer. It begins with other previous questions, viz.

FIRST, Upon what points or opinions in divinity the antient Fathers did vary in their writings. Chap. xiv. MSS. Ecclesiastic. penes me.

Answer. They did vary in so many points as they had errors, which were divers. From the which the others of

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sound judgment did dissent. And then their errors are particularly set down.

Secondly, What diversity of opinions hath been among the Doctors and Schoolmen of England, when the Popes authority was received.

Answer. The Popes authority was first urged in England by Austin, an Italian monk, called *Augustin Anglorum*. For Eleutherius, Bishop of Rome, sent into England, at the request of Lucius, king thereof, two godly men, Fugatius and Damianus, who preached the word of God sincerely, baptized the king and his realm, without al claim of Popish primacy and superstitious abuses.

Platin in Vit. Eleuther. an. Dom. 171.

When Austin gave that attempt, he was generally refused of the Bishops and learned men in Britain at that time. Galfrid describeth the state of that Church after this sort; *Erant septem episcopatus, et archiepiscopatus, religiosissimis præsulibus muniti, et abbatiæ complures: in quibus grex Domini rectum ordinem tenebat*, &c.——

Galfrid. lib. viii. cap. 4.

The third question. When the Popes fautors began by their writings openly to make out the Popes supremacy by the words of the Scripture.

Answer. The counterfeit writings of Anacletus alledg, that the Church of Rome, by the word of God, hath the primacy and authority of al Churches and of al Christian people. But Pope Sozimus, in al that long contention he had with the Bishops of Afric, touching the *supremacy* of the Bishop of Rome, never alledged any word of Scripture, but only the Council of Nice, which he himself had falsified.

In Concil. African.

The fourth question. What was the sum of the Christian faith, that Justin Martyr and other antient Fathers did alledg in defence of the Christians to the Emperors or other Pagans?

Answer. The sum of their faith was that which is contained in the Creed and the Articles of our Faith, grounded upon the word of God, and called *Symbolum Apostolorum*. For the faith is one of al Christians; and

therefore called *Catholic*, wherein the sum of al the Apostles doctrine, and of al the Old and New Testament, is very pithily, briefly, and plainly set down, &c. None of al these urge any of the Pope's new devised articles of the Romish supremacy, of transubstantiation, of purgatory, of the massing sacrifice, or such like; *sub necessitate salutis*. For this is plainly heretical, and against the Catholic faith then received. The Church of Christ in those days was not acquainted with any such religion.

The fifth question. By what reasons may it be proved lawful for a Christian prince to defend any other princes subjects from being forced to commit idolatry?

Answer. A Christian prince may do it in respect of his duty towards God, the commonwealth, and his neighbour. Ezech. 2 Chron. cap. xxx.

And these *means* he may use in performance of it: *viz*. entreaty with the prince under whom they live; by letters, messages, embassies: by putting the people in mind of their duties by some convenient way: by going thither in person himself to destroy idolatry: shewing the duty of a good prince is to maintain the glory of God. And his blessing is upon them that do it; and the contrary upon them that do it not. He may add also unto these, threatnings. And if no other way wil serve, he may defend them with his sword. 98

The end ought only to be the glory of God. Wherein these two things are chiefly to be avoided, *covetousnes* and *ambition*.

And first. The magistrate is bound to love God with all his heart, &c. It may be counted a very slender love and zele towards God, to suffer, in any place of the Church, his dishonour. And seeing God hath made kings to be nursing fathers, and queens nursing mothers to the Church; and the Church is *catholic*, *i. e.* dispersed throughout al the world; and it is the part of a nurse both to feed the Church and to defend the same, and also to nourish and cherish it; it wil follow of this, that a Christian prince may and ought to defend the subjects of another prince, to keep them from idolatry. Es. xlix.

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The safty of his own state and kingdom, and also of religion and quiet peace in the same, doth likewise require it. That both after his death religion might be the better planted in his own kingdom; and in his life-time his people might be kept in due obedience, both to God's word and to himself. Otherwise his neighbours, being grievously inflicted, it is very dangerous, lest the same should creep among his own subjects.

All Christians wheresoever are our brethren, and members of one body; having one heavenly Father, and one head, Jesus Christ. Altho' they be subjects to other princes, yet this distinction and separation cannot take away the unity of the faith, the bond of the Spirit and of love. But we ought to provide, as much as lieth in our power, that both we and they may continue and encrease in the same. And because a Christian prince is a member of the Church, and more hable to do it than a private man, he before al things ought to employ his authority thereto.

2 Chron. xxx.

Very good examples we have for this matter. Ezechias, that godly prince, not only summoned his own people to keep the passover at Jerusalem, but Ephraim, and al Israel; which were now by conquest subject to the Assyrians. And Josias went to Israel and Samaria himself in person to reform religion. For the text saith, he returned from thence to Jerusalem, when he had broken down the altar of Bethel, taken away the houses of the high places, and other such abominations.

2 Reg. xxiii.

Constantine, understanding that there was a number of Christians under the government of Sapores, king of Persia, was very glad thereof: *utpote quem communis quædam cura tangeret, de iis etiam sollicitus erat.* Constantine also writ his epistle to the same Sapores, to embrace and cherish the Christians that were within his dominions. *Tantæ curæ optimo omnium Regi erant quicunque pietate ornati essent; ut non modo suorum solicitudinem, sed alienis quoque dominis subjectorum procurationem capesceret.*

Euseb. de Vita Constant. lib. iv.

Theodor. Histor. Eccles. lib. ii. cap. 24.

Unto this agreeth the saying of Sozomenus of this

godly Emperor. *Ubique illi curæ fuit, ut saluti Christianorum ubique sive Romani isti, sive exteri fuerint, sedulo provideret.* And when by no other means he could cause Licinius to leave off from persecuting the Christians, he took upon him the defence of them, waged battle against him, and, by God's merciful providence over his Church, gave him the overthrow. *Qui cum ne rumorem quidem de illis rebus quas diximus, dissipatum amplius ferendum cerneret, modesta animi ratione rem secum reputare, et morum severitate, cum clementia naturaliter sibi insita, temperata, ad afflictorum liberationem maturare cœpit: existimans pietatis et sanctimoniæ munus esse, ut per unius cædem infinita hominum multitudo servaretur incolumis.*

Sozom. lib. ii. cap. 14.

Euseb. lib. ii. cap. 2.

Theodosius was content to aid Valentinian against Maximus the tyrant, for the quietnes of his kingdom, and the rooting out of the tyrant; and withal, as Ruffensis saith, *Valentiniani quoque impia inter hæc matre defuncta, fidem Catholicam quam ipsa violaverat, et regnum, tyrannide depulsa, restituit. Atque ipse, posteaquam Romam illustri triumpho invectus est, ad propria rursus regna remeavit.*

Ruffin. Hist. Ecclesiastic. lib. ii. cap. 17.

Constans requested his brother Constantinus to bring home Athanasius, and to admit him to the government of the Church of Alexandria; and threatned, if he would not, he would bring him home himself. The effect of the letter was thus: *Primùm enim mandabitur fratri, ut aures præbere Episcoporum sermonibus, et audacias et injurias Stephani cognoscere; atque Athanasium ipsum ovili suo, patefactis adversus eum structis calumniis, et judicum veterum iniquitate et odio, restituere vellet. Additum erat, nisi pateretur hæc sibi persuaderi, nisique quod æquum sit, faceret, sese ipsum, occupata Alexandria, redditurum Athanasium, cupientibus* ovibus, *et ejecturum adversariorum manum.*

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Theodor. Hist. Ecclesiast. lib. ii. cap. 10.

But these two faults in this matter are to be avoided, *covetousnes* and *ambition;* and only the glory of God and furtherance of the Gospel to be set before our eyes. Wol-

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phius, handling the fact of Josias, giveth this note upon it: "*Rex non inhiabat privatorum hominum illorum facultatibus, vel dominationi regionum ejus*, &c. Nor to draw "them away from their Babylonian lords to himself. But "this one thing he did, that those instruments and relicks "of superstition being rooted out, Gods own glory might "be asserted to himself. Because by this one way alone it "could be done. That the foundations of idolatry, formerly "there laid by Jeroboam, should be destroyed: by which "only from that time the people was always infected, and "chiefly called away from the Lord. Therefore he left the "goods to mortal men: but he brought that to pass again, "that that should be given to the Lord which was his. In "the same maner Christ also called the Jews away, neither "from Herod nor from the Roman Presidents, but taught "that especially, that what was Cæsars should be given to "Cæsar, and what was Gods, to God. If therefore Josias "did this, that God's glory should be asserted to himself, "without the disprofit of the Babylonians, Assyrians, and "al those that inhabited those lands, there is no reason "that that deed of his should be taken in an evil part by "any."

Wolph. in 2. libr. Reg. c. 13.

And when Theodosius had established religion in the dominions of Valentinian, *reversus est ad propria regna*, *i. e.* he went back to his own realms. And Abraham would not receive so much as a threed or shoe-latchet of the prey which was taken in recovery of Lot his brother.

These faults being avoided, and conditions observed, I think, by these testimonies of Gods word, reasons and examples, that a Christian prince may defend the subjects of another prince from being forced to commit idolatry.

Number XXVI.

The Archbishop's information, of inconveniencies arising by farming forth the first-fruites and tenths of ecclesiasticall livinges; and by the commission to enhaunse the same. 100

1. THE Clergie of England, generally, nowe a dayes, dye very poore, in respect of former tymes, because of wyfe and children; of charges growing in the two or three first yeres of their incumbencie; of the excessive prices of all necessaries; of not enjoyeing aboue two benefices with cure, (which but fewe also may attaine vnto,) of restraynt to take any farmes, or to buy and sell as heretofore, &c. of decay of oblations, pilgrimages, mortuaries, and personall tythes, being the tenth of all mens cleere gaynes. And lastly, by mens unconscionable paying of other tythes, except the Ministers would still dwell in lawe, and so spend their substance in recovery of them. Therefore it were harde to impose a newe charge vpon them. Chap. xiv. MSS. Whitg.

2. They do hardly procure suretees nowe: therefore, if the rate be greater, they shall fynde none at all.

3. Yt will seeme against equitee, seeing all other callinges and professions are suffered daylie to encreasse their liuinges; that *divinitie*, which is chief of all, and most necessary, should, in the tyme of the Gospell, not onely not be suffered to encreasse, but to be newely charged; and so not to enjoy that which is provided allredy for the professors of it.

4. There is great inequalitee and want of due proportion allready, betwixt the contribution of the *Clergie*, (which is in *tenths* euery yere, and in *first-fruites* at the first entrance,) and of those of the *Laitee*, who pay no *tenthes* at all, nor *primier seysin*, but suche of them as hold of the Prince, and that at a very easie rate. And when there is a subsidie graunted, the *Clergie man*, whose liuing is not worth (to be lett) 100*l.* payeth asmuche as the *temporall man*, who may lett his liuing for 1000*l.* It were therefore very hard to charge them more.

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5. It would vtterlye decay the studie of *divinite*, by discouraging the studentes thereof, both present and to come, and so at length bring in *barbarisme*, yf those small church liuinges, which remayne as a reward, should bee yet more empayred.

6. That which is presently payed to her Majesty is very willingly by the best and the most parte yelded vnto: yet there wante not diverse that do murmure euen at those payments, and haue written against them as inconvenient and vnlawfull: alledging, that the *idolatrouse priestes* of Ægypt enjoyed an *immunitee* vnder Pharao from all impositions. And therefore, it may bee feared, that a newe imposition would make a newe stirre, and a more generall myslyke and faction.

7. Under the Pope, *first-fruites* are onely payed of *bishopprickes*, and other great liuinges: *tenthes* are payed, not ordinarily, but on urgent occasions sometimes happening; yet neuer yelded vnto in Fraunce. Therefore yf newe impositions should be layed vpon the *Clergée* nowe by her Majesty, it would open the adversaries mouthe yet more; to accuse her Majesties government, and to persuade weakelinges to withdrawe themselues from us to joyne with their false Churche, as with a mylder kynde of regiment.

8. It would breed a great discontentment by the disgrace offered, when their liuinges alone (yea, and above other Englishmens) should be sifted and burdened; as happened xxvii and xxviii of Henry VIII. How much more will it bee odiouse nowe, in this povertee of the *Clergee*, yf the *Prince* doe, for a sett rent, geue them over (as it were) to the spoyle of a subject?

101 9. If vpon a newe enquyrie, *ecclesiasticall* liuinges should bee charged at an higher rate, the arrierage of the newe surplusage synce the xxvith of Henry VIII. lighting vpon the present incumbentes (as a reall charge vpon their church) beeing very great, would dryve all suche to forsake their *benefices*, and no man after to dare to intermeddle with them.

10. The farming fourth of the *tenthes* and *first-fruites* cannot bee beneficiall to the *Clergée*. For if it bee geuen to any subject for a benefice, this cannot bee brought to passe, without rackinge of their liuinges: wherein it is worth the consideration, whether it be convenient to benefite two or three by the common calamitee of so many, being so necessarie a part of this Church and commonweale.

11. Hereby also, when a private commoditee for a sett rent is expected, the poor Ministers, that often be too much overcharged in their valuations, shall bee without that remedie, which heretofore, upon due considerations they have enjoyed, having had defalcations by the discretions of the Lord Treasurer, Chauncellor, and Barons of the Exchequer.

12. Other extremitees there are diverse, wherein they are now releeved, which they shall not taste of then: as when the benefice is litigiouse, dependeth vpon a bare stipend payed in money; or when after composition and bandes entred, the incumbent is kept from possession, or is ejected.

13. It cannot work that which is expected. As for *bishopprickes*, they are ouervalued allreadie. And they therefore will look for a defalcation. Their decay is growen by exchanges of *temporalitees*, (which were beneficial in fynes, woodsales, strayes, heriottes, relieffes, amerciaments, and other casualtees,) partely exchanged by bare pensions in money, and partely with *rectories* appropriat, charged with reparations of chauncells, Vicars pensions, and such lyke. Decay is growen lykewise by diuerse rent services, cutt off by the statute of monasteries 31. of Henry VIII. by diuerse pensions, *procurations*, *synodalls*, *pentecostalls*, and suche lyke, going out of abbayes dissolved and churches decayed, now cleerely lost. They are also decayed greately by long leasses of their *demaines* and *mannors*, and by great and newe officers fees, layed vpon them for the most parte by *popish Bishoppes*, that foresawe their owne ruyne.

Deaneries and *prebendaries* of the old fundation are in the lyke case, through long and vnreasonable leasses. Those of the newe fundation doo receaue their wages in bare mo-

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ney, hauing no landes aparte allotted any of them, and therefore cannot be encreassed.

Archdeaconrées, because they alltogether allmost consist in *procurations*, are decayed a viith or an viiith parte, by decayed churches and appropriat, sould by the Kinge to subjectes, with a clause of discharge: and therefore not recouerable without more losse by suite, then the thinge recouuered will bee worth in three mens lyves.

Vicarages under x*l.* are allreadie by Parlement discharged, as being too poore to be enhaunsed. Those which be aboue, what by reason of oblations brought downe to ii*d.* for a whole house by yere; what by personall tythes, in a maner, wholly gone: because there is no way to recouer them, but by the large conscience of the *parishionars*, and what by the loosse payment of their small tythes, are euery where by more then a third parte decayed since the taxation.

There resteth onely *parsonages*, whereof 1083 are discharged allreadie by Parlement; as being too poore to be charged with *first-fruites*, being under xxty nobles.

Other *parsonages*, being in nomber 3000, haue their commoditees, consisting allmost wholly in tythe corne and hay. The quantitee whereof is in fewe or no places, since the valuation, encreassed, but in most places decreassed by enclossures, and converting of tillage and meadow into pasture. Indeed the grayne and hay is much synce that tyme encreassed in pryce; which, though it make in shewe the *parsonages* to be accompted better then they are valued at; yet, considering their decay of oblations and *personall-tythes*, and the pryce of all other necessaries (by them to bee vsed) more enhaunsed then the pryce of corne rate-
102 ably synce that tyme hath beene, it will bee founde, that their liuinges are worsse than they were then: and therefore no reason to enhaunse them more.

To this may bee added, that all *parsonages* in citees, corporat and market townes, are, for the reasons aforesayd, half in half, and more decayed. Many *parsonages* also are in leasse, many doo receave a dry pension in money, and

many sore spoyled by couetouse *patrones*, and therefore by no equitee can or may be enhaunsed.

14. When a subsidie is graunted, the *Clergee* doo pay a third parte more then the *Temporaltee*. Yet they of the *Temporaltee* can say for their easie assessing of a man of 1000 markes by yeres, at xxty markes or xx*l*. *That a man ought, in reason, to haue a good penyworth of his owne.* How much more then ought the *Clergee*, being allreadie so sore burdened?

15. The *Clergee* is so poor allready, that great sommes due at the former rate to her Majesty are become desperat.

16. At the rate allready sett downe, many benefices are so poore, and so muche in arrerages to her Majesty, that no man dare take *institution* or *jurisdiction* to them, but are graunted in *sequestration* for serving the *cure*: so that her Majesty looseth wholly her *first-fruites*, and oftentymes her *tenthes* and *subsidies*. Therefore, if a newe enhaunsing should bee, many moe would come to that passe, to her Majesties losse and hurte of the Churche.

17. Howsoeuer it be, if any bee found too lowe rated, and therefore be brought higher: then in equitee and justice, those which bee overcharged, and will bee (I fear) the greater parte must be brought to a lower rate.

18. Her Majesty, by farming out, is sure to loose another way. For the farmer will not yelde her coffers any great summe, more then they amount vnto *communibus annis*. Therefore, when a yere of *translations*, and speeding of diverse *bishopprickes* vacant, doth happen, shee shall loose 2000 or 3000*l*. by yere, for two yeres together: which otherwise her Highness might and doeth enjoy.

19. To conclude, where in every Parlement, and specially in this last, great exclamation hath been against an unlearned ministerie; if this suite should be graunted, it would encreasse the number of unlearned Ministeres, and dryve the learned and other students to some other trade of lyfe more gaynfull vnto them. For every waterman on the Thames earneth more by his labour then the greater

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parte of severall Ministres in England should do by their benefices.

20. It would also bee considered, whether it be not the meaning of the preferrers of this suite or some others moving them thereunto, to bring such of the *Clergee* as pleaseth them into bondage and awe, for fear of enhaunsing their liuinges, that they dare not displease them; but be enforced rather to soothe them in all thinges. Whereby, it may come to passe, that the waywarder sorte shall be greately countenaunced and encreassed. Which thing is greately to be feared: and very lykely also to be entended, that they which could not prevayle in *Parlement* may this way be revenged.

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Number XXVII.

The University of Oxford to the Lord Treasurer; praying that a privilege of theirs might not be infringed: which was, that none be compelled within five miles of the city to supply provisions to the Court.

Chap. xv. MSS. Academic.

NE parum verecundi videamur (honoratiss. Dom.) præsentes precibus, et absentes literis, Honori tuo toties molesti, non mediocriter pertimescimus. Nullæ igitur profectò ad Honorem tuum, a nobis hoc tempore datæ fuissent literæ, præter illas, quæ clementiam, amorem, pietatem in nos tuam, officium, fidem, gratitudinem in te nostram, loquerentur; nisi (nescimus sane quo malo genio) turbis jam nobis ortis, opem tuam implorare cogeremur: quam ut adferre velit C. T. ulla in re si unquam concupivimus, in hac sanè maximè efflagitamus. Privilegiis enim nostris licèt concessum sit, et vestra authoritate ratum, ut qui non longius ab Oxonia quinque milliaribus degunt, oneribus illis frumenti, quibus ad usum aulæ regiæ alii astringuntur, minimè teneantur. Sunt tamen nonnulli, qui eos ad hæc onera, non paucos numero, severè cogunt. Illi, omne quod æquum videbitur facere, ut honestos viros decet, animo comparati, ad nos rem totam detulerunt. Nos spem nostram omnem in pietate tuâ positam habentes, ad Honorem

tuum, tanquam ad sacram hac in causa anchoram, confugimus: valde rogantes, ut his tam iniquis temporibus, et in tantâ rerum caritate, tanto beneficio non privemur. Hoc effectum velle reddere C. T. pro tuo in literas singulari amore, non dubitamus: atque ita Deum Opt. Max. ex animis rogantes, omnia tibi ut fortunet, Honorem tuum valere jubemus. Oxonii ix. die Decembris.

Honori tuo deditissima,
Academia Oxoniensis.

Number XXVIII.

Reasons to prove that the Aldermen and Burgesses of Oxford ought to take their oath, without a saving of the liberties of the town.

FIRST, Henry the Third graunted, that the Mayor and Bailiffs should swear, *quod conservabunt libertates et consuetudines Universitatis.* But Edward the First appoynteth, that the Aldermen and 58 Burgesses should swear, *secundum tenorem chartæ Domini Regis.* Which is to be referred to Henry the Third. Therefore no *saving* being there, no *saving* ought to be admytted herein. Chap. xv. Chartæ Acad. Oxonien. penes me.

Secondlie, The towne in the tyme of Edward I. complayned of certeyne abuses in the mynistring of the othe.

1. That the Universitie forced them to come to S. Maries church.

2. That they were compelled to take an othe, not onely for themselves, but also for their families, heirs, and such others.

3. That they were not permitted, in taking their othe, to except their faith to the King, or their remedie in the Kings Court, their relief by the Lords of the Council, *in his quæ Universitatem et Cancellarium contingunt.*

It is manifest therefore, that they were not suffered to 104
have any *saving* of their own liberties, which were not suffered to except their faith to the King, or their remedie in the Kings Court, as appeareth in the premisses.

Thirdlie, The Mayor and Burgesses *bona fide promise-*

BOOK III.

runt, quod omnes libertates et consuetudines, quas prædicti Cancellarius et Scholares habent per chartas et concessiones Domini Regis et progenitorum suorum, et etiam omnes alias consuetudines, quibus prædicti Cancellarius et Scholares rationabiliter usi sunt, benè et firmiter observabunt de cætero sine aliqua contradictione.

Fourthlie, In a book of ancient record in the Universitie, conteyning the summe and effect of al our charters, and the practice of the Universitie in auncient tyme, we fynde the forme of othe *verbatim* agreeing with the composition aforesaid, accustomed to be taken by the Mayor and Bailiffs, and lykewise by the Aldermen and Burgesses, without a *saving*, &c. *Yee shal sweare, that al the liberties and customes which the Chancellor and Scholars hold*, &c. ut supra, *wel and firmely yee shal holde, saving your faith to the King.*

Fifthlie, There never hath bene used any diversitie of othe, but the same othe which the Alderman and Burgesses have taken, and ought to take by charter and custome, the same othe the Mayor and Bailiffs have always taken in the same place, at the same tyme, within the memorie of any man lyving, by our adversaries own confession. But the Mayor and Bailiff ought not to take their othe with a *saving*, as appeareth, by evident charter, by the Councills order, and by their own confession. Therefore the Aldermen and Burgesses, swearing always in the same tyme and place, should take their othe without a *saving* of the liberties of the towne: except we shal thynk the inferiours to have more charge in mainteyning the liberties of the town, then their superiours and chief magistrate hath or ought to have.

Finallie, That this was the meaning of the committees appoynted in the Councills orders, that not onely the Mayor and Bailiffs, but also the Aldermen and Burgesses, should take the said othe in the foresayd orders expressed, (albeit they were not expresslie conteyned in the charter there alledged,) may very wel appear by the judgment of the Lord Chief Baron, with the rest of the committees, being consulted upon this question long before this tyme: who, be-

cause they are left interpreters of their own meaning, we have procured a certificate of their opinions, testified under the hand of the L. Bishop of Hereford [Dr. Westphaling] that now is, (who was Vice-Chancellor when the question first was moved,) and ready here to be shewed to your Honours in writinge at this tyme.

Number XXIX. 105

Articles to be inquired upon in visitation of the diocese of Chichester, sede vacante, *by the authority of the most reverend Father in God, John, Archbishop of Canterbury, Primate of all England and Metropolitan.*

I. WHETHER your Minister have used any other form or maner of public prayer, administration of sacraments, or any other rites, ceremonies, or orders, than are prescribed by the Book of Common-Prayer. Or hath he altered them, or any of them? How, and in what maner? Chap. xv. Regist. Whitg. vol. i. fol. 116.

II. Whether doth he, or any other, take upon them to read lectures, or preach, being mere lay-persons, or not ordered according to the law of this realm, or lawfully licenced? Doth he, or any other preacher remaining in their parish, at some times every year, personally say the public service, and minister the holy Communion himself, according to the said Booke of Common Prayer, or no? Doth he, or any other, keep any exercise of expounding, or read any lecture in private houses, whereunto other than those of that family do resort?

III. Whether upon Sabbath days and holy days, doth your Minister cal for and instruct the youth of his parish in the Catechism and principles of Christian religion? And whether, likewise, once every Sabbath day, he doth put the churchwardens in mind of their duty, as wel to note who absent themselves from divine service; and upon the goods and catalls of such to levy 12*d.* a piece for every default, for the use of the poor: as such also who irreverently there

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behave themselves. And whether do the church wardens perform their duty accordingly?

IV. Whether hath the Minister used the form of thanksgiving after *child-birth*, for any woman unlawfully begotten with child, otherwise than upon a Sabbath day or holy day, in time of public prayer; and also with public acknowledgment of her sin, in such form as the Ordinary hath prescribed?

V. Whether doth your Minister in public prayer wear a surplice: and go abroad apparelled, as by her Majesties *injunctions* and *advertisements* is prescribed? Doth he privatly exercise himself in godly prayer and study; and with other convenient exercise for his vocation? Doth he keep any suspected woman in his house; resort to any infamous houses; use any light disposed company? Is he a swearer, gamester, common hunter, or hawker; unseemly in apparel, or giveth any wise just occasion of offence, or ill example of life? Is he probably suspected to have attained any spiritual living through symoniacal compact, made by himself or any other, either directly or indirectly? Is he a common resorter to taverns or alehouses; or doth suffer any wine, ale, beer, or victuals, to be sold in his parsonage or vicarage house, or no?

VI. Whether hath your Minister, or any other whosoever, spoken against any part of the Book of Common Prayer, or against any of the Articles agreed upon by the Clergy of both the provinces, anno 1562, in a synod holden at London; or defended any Popery, or any other erroneous, seditious, or schismatical error?

VII. Whether are any in your parish suspected to serve any monument of superstition or idolatry; to resort to any mass, or other service disallowed; or to any Popish priests for shrift. Or any in your parish suspected to receive in their house or company any Jesuit priests, Seminary men, or other like fugitives, disguised or suspected persons; or to be recounciled to the Church of Rome? Are there any
106 which do not, according to law, both resort to divine ser-

vice publickly in some Church, and also communicate the holy Sacrament as is required.

VIII. Whether doth any in your parish teach children publickly, or in any mans house privatly? Is such licenced by the Ordinary? Is he known to resort to public service? Is he of sound religion? Doth he teach the Catechism to his scholars, which was set out for that purpose? And doth he train up his scholars in knowledge of true religion now established, and in obedience to the Prince, or no?

IX. Whether are your hospitals and almes-houses used according to the foundation and ordinances of the same: and such also placed in them as be most impotent and needy? And whether legacies and other sums of money, given and set forth for such other good and godly uses, be employed according to the intent of the givers?

X. Whether have any married within the forbidden degrees of consanguinity and affinity: and separated in that respect, do keep company still together? Any lawfully married, which offensively live asunder; or which have married elsewhere? Any man which hath two wifes, or woman two husbands? Are there in your parish any incestuous, adulterous, or incontinent persons: any common drunkards, ribalds, swearers, uncharitable, sorcerers, charmers, usurers, or vehemently suspected of these, or any of them?

XI. Whether any in your parish have departed this life, whose wills are not yet proved? Doth any administer or intermeddle with the dead's goods without authority from the Ordinary for the time being? Hath any wills been proved, or administrations granted, since the 27. of February last? What their names and surnames which offend against this or any other of the foresaid articles?

XII. Whether hath any Ordinary, Register, Clerk, or Apparitor, conceled or winked at any offender presented; or commuted any public satisfaction or punishment for mony, without most urgent cause, or public testification in the church of the offender's repentance: or in such case hath not wholly employed the same to godly uses? And whe-

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ther hath any of them exacted excessive or unaccustomable fees in any ecclesiastical matter whatsoever?

XIII. Whether is your Minister a preacher? Hath he any other living ecclesiastical? Where doth he remain and abide for the most part? What is his living yearly worth by common estimation? And of whose patronage in fee in such living? Of what age and degree of school is he, as you have heard or do conjecture?

XIV. Whether hath any in your parish been such as refuse to come to divine service? Any children; of what age? Where and with whom do they remain? Have such, or any other children, kinsfolkes or friends beyond the seas? Did they depart with licence? How long agone, and in what parts on the other side of the sea do they remain; as you know, have heard, or do conjecture? And what relief have they from any in your parish, or from any other within her Majesties dominions?

XV. You shal, by the oath that you have taken, make diligent inquisition, and truly present in writing, not only the names of al who have offended, are suspected, or any way touched in any of these articles; but also who have offended, or are suspected to have offended, against any part of the Queens *injunctions*, or any ecclesiastical law of this realm.

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Number XXX.

Mr. Travers's reasons; that his being made Minister at Antwerp should not be sufficient cause of his restraint; or, that he ought to be made Minister again. With Archbishop Whitgift's marginal animadversions thereupon.

Chap. xvi. MSS. Collection. Whitg. penesme. Archb. Whitgifts' Animadv.

I. MAKING of a Minister is such an action, as being once lawfully don, ought not by the word of God to be repeated.

Aaron and the Priests in the old law were but once to be called and consecrated. Proved thus, Hebr. v. 4. *No man taketh this honour to himself, but he that was called*

I think this

to it of God, as was Aaron. And Levit. viii. 33. *Ye shal not depart from the door of the tabernacle of the congregation seven days, until the day of the consecration be at an end. For seven days shal he consecrate you.*

to be true. But Mr. Travers his schoolmasters think and practise otherwise: as Danæus Isagog. lib. 2do. c. xviii.

II. Pastors and teachers of the Church, in the New Testament, have in like maner, by the same word, their calling to their ministry but once given them; which sufficeth, and is not to be reiterated. As may appear by the speech of the holy Scripture, in al the rules and examples that concern the vocation. Of which sort are these: *Appoint elders in every city.* Tit. i. 5. *Look to your selves, and al the flock, whereof the Holy Ghost hath made you overseers.* Acts xx. 28. *Lay hands hastily upon no man: neither communicate with other mens faults.* 1 Tim. v. 22. *Stir up the grace which is in thee, by the laying of my hands.* 1 Tim. iv. 14. *Neglect not the grace which is in thee; which is given thee to prophesy, by laying on of the hands of the eldership.* 2 Tim. i. 6. *They ordained them elders in every church.* Acts xiv. 23.

These Scriptures prove not his purpose.

III. The reiterating in one dominion of any such action, as being once sufficiently don, ought not for ever to be repeated, (because it is don in the kingdom of another civil prince,) for it taketh from Christ his authority, given him of God in al places: as it is said, *I will give thee the ends of the world for thine inheritance.* Psal. ii. *and al nations to be possessed by thee.*

And yet the French Churches practise otherwise, neither wil they admit any of our Ministers, ordained according to the laws of this Church, to exercise his function among them, without a new kind of calling according to their platform.

IV. It maketh his kingdom like the kingdom of an earthly prince; as if it were bounded with certain limits. Nay, in some respects, not so good. For a kingdom united in it self, it sufficeth, notwithstanding there be sundry provinces and dioceses within it, to have testimonial of any act to be lawfully don. Which in the kingdom of Christ is not so; if the testimonial be not enough; but that the deed it self must be reiterated.

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V. The repeating of the calling to the ministry maketh void the former calling. And consequently such actions as were don by him by vertue of the same; as confirmations, marriages, and such like.

This is untrue.

VI. The repeating of one action of that nature, that by the word of God is not to be reiterated, maketh the repeating of al other, which are of like nature, as lawful; so as if a Minister be to be made again in one country, having been lawfully afore made in another; then also one baptized or married in another country, by like reason, is to be inforced to be baptized and married again, coming into England, according to the order here appointed for such actions.

Nothing like.

VII. Moreover, whereas the Church of Christ is one, as we are taught by the word, and profess in the Articles of our faith, to believe; and a communion is to be maintained among the saints and al the Churches of God, 108 by the same word; the making void of such actions don in them, giveth dangerous occasion of schismes and divisions in the Churches.

VIII. The universal and perpetual practice of al Christendom, in al places and in al ages, proveth the Ministers lawfully made in any Church of sound profession in faith, ought to be acknowledged such in any other.

Excepting always such Churches as allow of Presbytery, and practise it.

In the primitive Church we read, when Polycarpus came out of the east country, whereof he was, being Minister of the Church of Smyrna, to Rome, in the west; that with the good consent, and at the request of Victor, then Pastor there, he dealt in the ministry, and administred the Lord's Supper.

This is true: but Mr. Travers his case is far differing from it.

For Polycarpus went not to Rome to be made Minister; but being ordained Minister, according to the order of the Church wherein he lived, was suffered to execute his function at Rome. But Mr. Travers, misliking the order of his country, ran to be ordered elsewhere, by such as had no authority to ordain him, to the contempt of the ministry of this Church, and the manifest maintenance of schism. And as wel may Mr. Cartwright and his adherents now make Ministers at Warwick, to serve in this Church of England, as he and Villiers might have don at Antwerp.

In the same, to the time of the apostacy, there was never doubt made of ordaining again such as had been once

before called to the ministry: but only of those who had been made Ministers in the Churches, by heresy or schism divided from the unity of the true Church.

In the Church of Rome, since the apostacy to this day, a Priest ordered in Spain, or elsewhere, may execute the office of the priesthood in any country where he comes.

In the civil law it is lawful for them so to do.

Since the Reformation, al the Churches of the Gospel have ever so held it and so practised it, in those which have been in any such Churches called to the ministry, even to this day.

Doctors made in any University in Christendom are so accounted in any other where they wil teach.

In this Church of England, many Scottish men and other, made Ministers abroad, have been so acknowledged, and executed their ministry accordingly: and yet do still among us.

I know none such: and yet their case is far differing from his.

Afore Mr. Whittingham's case, there was never any question moved in this Church to the contrary.

The question being moved about him, yet was neither the word of God, nor the law of the land found to be against him. But notwithstanding that exception, he continued in his place and ministry after to his death.

This is untrue. For if Mr. Whittingham had lived, he had been deprived, without special grace and dispensation. Altho' his case and Mr. Travers are nothing like. For he in time of persecution was ordained Minister by those which had authority in the Church persecuted. But Mr. Travers in the time of peace, refusing to be made Minister at home, gaddeth into other countries to be ordained by such as had no authority: condemning thereby the kind of ordering Ministers at home.

Popish priests, notwithstanding they were made after another order, and that against the word of God, yet to the 13th of the Queens reign, they were suffered to deal, by vertue of that calling, with duties of the ministry, without any question moved of it.

Anno 13. Eliz. When question was made of their calling, the Parlament appointed not, that they should be ordered again, according to the form established in the first year of her Majesties reign; but only, that they should subscribe to the Articles concerning *Christian doctrine and* realm require, that such as are to be allowed as Ministers in this Church should be ordered by a Bishop, and subscribe to the Articles before him.

When the like act is made for his ministry, then may he alledge it. But the laws of this of England,

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faith, agreed on in the Convocation, anno 1562. And so doing, enabled them to al duties and benefits of the ministry.

109 This doth not justify his calling.

In the said book of Articles, the doctrin whereof is authorized by the said Parlament, it is thus set down in the 23d Article: "It is not lawful for any man to take upon him "the office of public preaching or ministring the sacra- "ments in the congregation, before he be lawfully called "and sent to execute the same."

And those we ought to judge lawfully called and sent, which be chosen and called to this work by men, who have public authority given unto them in the congregation, to cal and send Ministers into the Lord's vineyard.

This is to abuse our patience. He never allowed of your kind of calling; neither can he allow of it.

Last of al. The late Archbishop of Canterbury, being made privy and acquainted with this my calling to the ministry abroad, was contented I should preach in England. The Bishop of London was likewise contented I should preach at the Temple, which I have don now almost six years. And the present Archbishop of Canterbury hath taken no exception against me, since his coming to this province, to forbid me preaching in it until this time. Upon consideration of these reasons, I humbly pray to be suffered to procede, as I have don, in my place and ministry again.

Number XXXI.

The summ of a speech in Parlement, anno 1586; *upon the Bill and Book of the Puritans, then offered.*

Chap. xvii. MSS. Lambethan. Memoirs.

THAT where the *book* and *bill* hath been greatly commended, &c. and altho' in respect of manifold business, &c. I have taken no further pains in the word of God than concerneth the due information of a true Christian man, as well in matters of faith as of maners: by the one to be instructed in the sincerity of true religion, how to believe, and by the other, how to direct my actions to

God's glory and the profit of my country: and besides that I have deemed it evermore a special part of Christian sobriety for every man to contain himself within the bounds of his own vocation; and not to presume too much upon his own knowledge to dispute, decide, and determine ecclesiastical matters, appertaining properly to the learned Doctors and grave Fathers of the Church: yet, forasmuch as a great part of this desired reformation cometh within the compas of my profession, touching matters of state, I have thought good to crave your heedful regard, &c. while I shal open unto you sundry points of very great consequence touching the same.

The whole reformation, began in King Edward's time, and undertaken by her Majesty, consisteth chiefly in the establishment of,

I. A true government of the Church greatly corrupted and fowly usurped by the Bishop of Rome.

II. The pure doctrine of Christ, by a sound reformation and purgation thereof from Popery.

III. A godly order for public prayer and administration of sacraments, with other holy rites and ceremonies; insted of the popish mass, barbarous service, and many other corruptions.

This reformation was made upon most grave consideration by the chief learned Doctors and Fathers of this Church. It hath eftsoons been fined and refined: and by her Majesty at length brought to such perfection, as the profession of this reformed religion in England hath been ever since the chief key and stay thereof in al the reformed Churches in Christendom. What joy was once in England for this reformation! How many letters have been written hither by strangers, to congratulate the sincerity and happines thereof! and how many challenges have been made, and books written in defence of the same! Our adversaries abroad have been mightily refuted. *Sed inimici hominis, domestici ejus*, [*i.e.* A mans enemies are those of his household.] Among al the assaults made hitherto by sundry *sectaries* against this our reformation, there was 110

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never any, to my knowledg, comparable to this last bil and book exhibited here among us.

My purpose is to deal only with that part which toucheth *government*. Howbeit, as by the way I cannot but remember unto you, how, notwithstanding the law made anno 1. of her Majesty, *That whosoever should, either by word or writing, deprave*, &c. *the Book of Common Prayer*, &c. this book termeth the same to contain divers imperfections, gross corruptions, and so many repugnances with the word of God, as that scarce any part thereof remaineth sound. In respect whereof it earnestly desireth to have the same wholly abrogated. And doth offer another, newly made, unto us, to be established. Wherein first, my masters, I wil speak but like a politic man. Wil you alter the whole form and order of your service? Wil you take the book from us, which we have been persuaded to think both good and godly; and give us a newe, accounting the other corrupt, &c.? Might it not have sufficed to have reformed the errors? If you answer, that there were so many, it could not be otherwise don, wil any man believe you? What wil the people say? Assuredly, whereas you pretend hereby to work wonders, you shal drive them by thousands either to become Atheists or Papists. I tel you, there is an old note of schismatics or heretics, which is very rife among us, and I think it is in the Scriptures, *Semper discentes, et nunquam ad scientiam pervenientes*. Assuredly, al good men do begin hereby to suspect you.

Secondly, If I be not deceived, I find a shameful slight and cunning point smoothly past over in this bil exhibited. It is wel known that some ringleaders in this schism have taught that it was unlawful to have a prescribed form of service in the Church; but now your fellows have framed us one. Belike, they meant every such kind of service to be unlawful, except it were of your own making. In good earnest, do you mean indeed as you seem? Shal we have a Book of Common Prayer to be usually read and observed in our churches: so as the common people who cannot read, by often hearing one form of

prayer, may learn the same, to their great comforts, elsewhere? What meaneth the book then, when in the rubric before your chapter of public exercises, such an order is there prescribed, as doth never permit the chief part thereof, that is, the confession in the first chapter, to be read in the church? Besides, what meaneth this? There is a form of service set down to be used before and after the sermon: which is indeed the whole service: and yet in the rubric after the same it is thus written, *It shal not be necessary for the Minister daily*, &c. And in the chapter of Baptism, because he *prayeth in this maner, or such like.* And in the chapter of the Lord's Supper, the Minister *giveth thanks in these words following, or the like in effect.* So as for any thing I see altho' to please us withal there be in shew a book pretended, yet in truth there is no such matter; but al or the most part is left to the Ministers spirit. These men do therefore verify the proverb, *Aurum superatum, tussis pro crepitu.*

Touching the second part of our reformation; that is, true *doctrine* repurged; I take it the whole sum thereof is contained in the 39 Articles of Religion, set out by law, anno 1562. Whereof, I find by this bil and book, three of them wholly condemned or abrogated; *viz.* the 34th, Of the *Traditions* of the Church: the 35th, Of *Homilies:* the 36th, Of the *Making of Bishops and Ministers.* Besides, it seemeth unto me, that one of the Articles of our belief is, in effect, abrogated, *viz. Descendit ad inferos.* But this is a question, it seems, among Divines. I wil not meddle with it. Howbeit, I remember, that about seven years since, there was written a book to the like purpose, by one Carlile; which her Majesty, by the advice of the best learned of the Clergy, forbad, as a very dangerous book and assertion.

But al this while I am almost beside my purpose; leaving therefore in this sort matters of divinity, I wil come to speak of our *government:* which, in some points, is quite overthrown; in some greatly shaken; and by some very much endangered. That which I therefore mislike in this

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bil and book is, that it is very injurious to us of the Laity; to the chief of the Clergy; but especially to her Majesty.

111 First, To our selves, it appeareth in the sixth chapter of this book, that when any ecclesiastical man should dy or be removed, *jus patronatus* should be in every Presbytery. And so Elders, I know not how, should present to the livings: which toucheth us al in our inheritances: and besides, turneth to our no smal reproof; in that of antient time, having received such credit and authority, *we* only should be thought unworthy to continue our right, &c. Why, surely, I cannot see, but that if we were al as we pretend, there could not be many Presbyteries erected in this land, more able to present fit men to any of our livings, than we our selves; if we would use but those helps appointed by law already. For mine own part, &c. But yet in this matter we are further touched. Here are orders set down for the burthening every parish with one Pastor, at the least a Doctor, two Deacons at the least; besides, I know not how many Elders, to be found in equity, if they be poor, and do labour in the causes of the Church, by the relief of the parish, as wel as any of the rest. But neither bil nor book do speak one word with what livings, or how those officers shalbe maintained: wherein there is a piece of cunning used; supposing that plain dealing would have hindered their purpose. For indeed their meaning is, to draw from us, maugre our heads, our impropriations. And if the spoil of the Bishops and cathedral churches wil not serve their turnes, as certainly they cannot, their number being so great; then do they set it down, that we are bound to surrender out of our hands our abby lands, and such other possessions as have at any time belonged to the Church.

It is wonderful to se how despightfully they write of this matter. They cal us church-robbers, devourers of holy things, cormorants, &c. Affirming, that by the laws of God, things once consecrated to God, for the service of his Church, belong unto him for ever: and that we keep

such goods and livings contrary to our own consciences: as appear in the book of Ecclesiastical Government, and another which came to my hands the last Parlement, intituled, A Complaint of the Commonalty. Whereby we may se what is intended against us: how for the enriching of themselves, they labour by our consents to impoverish us; and with what reproachful speeches they handle us. For mine own part, I have some impropriations, &c. And I thank God, I keep them with a good conscience, &c. Many would be undon. The law approveth us, &c. The rule, *cui bono*, maketh me to think, that these hot, busy reformers do rather seek *ours* than *us*.

Secondly, For the overthrow of the present state of the Clergy by their Presbyteries, especially Archbishops and Bishops, &c. as being callings not agreeable to the word of God, as the bil saith; I wil leave it to Divines, being a matter without my reach, altho', in my conscience, I do see the necessity of those dignities and authorities, for avoiding of contention, and better reputation of their callings. As to the same purpose, we have in the civil law noblemen and gentlemen: and do verily hold that part of the bil as a lowd untruth. This onely do I judge, that hereby a great indignity is offered to the honour of this realm, in seeking to spoil the same of one essential part of the second state, to alter the honour of our Parlements, and to bring into it a barbarous equality, which hath usually hitherto been *noverca regnorum, et mater confusionis*. And, as tho' it were unlawful for Majesty to confer honour, where indeed otherwise it best deserved.

But, thirdly, to come to that, which most of al should touch us, *viz.* her Majesties estate. I find this platform injurious to her supremacy, to her strength, and to her person.

For her Highnes *supremacy*, it consisteth principally, as I gather out of the statute to that purpose, anno 1. of her Majesty,

1. Upon her title of Supreme Head or Governour.

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2. Her authority in making ecclesiastical laws.

3. Upon the right that the last appellation in such causes should be made to her Majesties Chancery. Al which
112 points are in a maner wholly abrogated by this bil and book. For altho' it be said therein, that the Sovereign Majesty is placed by God in highest authority under him, within their dominions, over al persons and causes, as wel ecclesiastical as civil; yet mark how the book interpreteth it self. Forsooth, their dominion they speak of is this, that the Sovereign must see and command the ordering of them as God hath appointed by his word. He must not make any himself by his ordinary authority, but se others make them: which is not sovereign authority *in causas*, but in *personas:* and is called *potestas facti, non juris.*

Secondly, Where this bil affirmeth, that the guidance of the Church is committed to the Pastors, Doctors, and Elders: that they by common consent might direct al the affairs and business of the same, *qui dicit omne malum, nihil excipit:* where it saith, that the Presbytery hath authority to choose, elect, ordain; and upon occasion to remove and displace al ecclesiastical officers; and, as the book saith, to visit, decide causes, appoint thereon meetings, conferences, and synods; in the end, what is left to her Majesty? Or wherein is the fulfilling of that law which saith, that al authority to visit, reform, redress, order, elect, correct, make laws, abrogate laws, call synods, &c. is annexed unto her royal crown and dignity; and doth not appertain to any other in a *Christian kingdom*, but as derived thence?

Thirdly, It appeareth both in the bil and book, that if any difficulty or aggrievances do arise in these Presbyteries, there lyeth no appeal, but from the Presbytery to the conference; from that to a provincial synod; and thence to a national. Whereas, when her Majesties father did first abandon Popery, this was his chiefest endeavour, that the appeals which were made to Rome might by degrees comen into his Chancery. So as hereby it is manifest, as

I think, that this new device is very injurious to her Majesties supremacy.

Now of the second point, how it diminisheth her Majesties strength and ability. In my conceit, her Majesties strength standeth very much upon her revenues. Large tributs and great riches are indeed *nervi reip. ornamenta pacis, subsidia belli.* Now what a loss would her Highnes sustain, if, as hath been said, al her impropriations should be taken from her? But what if they deal with her Majesty in her tenths and first-fruits, as with her impropriations? Surely the book of ecclesiastical disciplin nameth the exacting of the same, *nundinationum et spoliationum di-* Pa. 88. *reptiones.*

Lastly, Touching her Majesties *person and safty;* I account it hereby greatly endangered; in that her Highnes is made subject to the Presbytery censures, reprehensions, suspensions, and excommunications. Which, tho' it be not precisely there named, yet I am sure none wil deny it, sith it is so largely set out in the ecclesiastical discipline. For who knowes how far they wil procede, if her Majesty do neglect their excommunications? Is it not, think you, very wel known, what outragious assertions are made hereof in your chief Presbyterie mens books. Doth not her Majesty understand what is set down hereof in these books; *De jure regni apud Scotas: De jure magistratuum in subditos: Vindicta contra tyrannos*, and others? Yes, indeed.

So as to conclude, I assure you, so far forth as I am able to look into these matters, I think, al circumstances considered, there never was moved in a Parlement, to my remembrance, and urged with such importunity by those who would be reckoned her Majesties best affected, most faithful, and most dutiful subjects, a matter of greater inconvenience, ne mischief.

For, I pray you, wherein differ these men, in this case, from the Papists? The Pope denyeth the supremacy of princes: so do, in effect, these. The Pope yieldeth to Saunders. them only *potestatem facti, non juris, in personas, non*

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causas. No more do our Reformers in this point. The Pope where he entreth, doth abrogate al such laws as any prince hath made in Church matters, to his dislike. And so would these men do with all the laws, canons, constitutions, and orders, heretofore made in the Church: as is exprest in the last sentence of the bill, &c. *Ita fiat repetitio reliquorum.*

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Number XXXII.

Orders for the better increase of learning in the inferior Ministers; and for more diligent preaching and catechizing: agreed upon by the Archbishop and other Bishops in Convocation.

Chap. xvii. Regist. Whitg. vol. i. fol. 131.

EVERY Minister having cure, and being under the degrees of Master of Art and Bachelour of Law, and not licenced to be a public preacher, shal, before the 2d day of February next, provide a Bible, and Bullinger's Decads in Latin or English, and a paper-book. And shal every day read over one chapter of the holy Scriptures; and note the principal contents thereof briefly in his paper-book. And shal every week read over one sermon in the said Decads; and note likewise the chief matters therein contained in the said paper [book.] And shal once in every quarter, *viz.* within a fortnight before or after the end of the quarter, shew his said notes to some preacher neer adjoyning, to be assigned for that purpose.

Item, The Bishop, Archdeacon, or other Ordinary, being a public preacher, shal appoint certain grave and learned preachers: who shal privatly examine the diligence, and view the notes of the said Ministers: assigning six or seven Ministers, as occasion shal require, to every such preacher that shal be next adjoyning to him. So as the Ministers be not driven to travail for the exhibiting of their notes above six or seven miles, if it may be. And the said preachers shal by letters, or otherwise, truly certify to the Archdeacon, or other Ordinary of the place; themselves

being public preachers, and resident within or neer to their jurisdiction; and for want thereof, to the Bishop himself; who do perform the said exercises, and how they have profited therein; and who do refuse or neglect to perform the same.

The Archdeacons, and others receiving the said certificates, shal signify the same once in the year to the Bishop: and that about Michaelmas.

Item, Such as shal refuse to perform the exercises, or shal be negligent therein; and shal not, after admonition by the Bishop, or Archdeacon, or other Ordinary aforesaid, reform himself; if he be beneficed, shalbe compelled thereunto by ecclesiastical censures. If he be a Curate, shalbe inhibited to serve within the jurisdiction.

Item, The Bishop, Archdeacon, &c. shal carefully look, that the Ministers serving cures, do, according to her Majesties injunctions, instruct the youth in the Catechism, with additions, set forth by public authority. And such of the Ministers, as by examination and trial shalbe found of reasonable ability, may, by the Archdeacons and Ordinaries, being public preachers, as aforesaid, be permitted to expound, standing in their stalls onely, the points of the said Catechism onely, with the additions, to their parishioners, until they shalbe found meet to be by the Bishop tolerated, or authentically licenced, to preach.

Item, Such Masters of Art and Bachelours of Law, as have any cure, and are not licenced to preach, if within six months after admonition to them by the Bishop, Archdeacon, or other the said Ordinaries, (whose consciences are herein to be burthened,) they shal not be lawfully licenced to preach by the Archbishop, or by the Bishop of the dioces, or by one of the Universities, shalbe tyed to the said exercises; until they be found meet, and licenced to be preachers.

Item, Every licenced preacher shal yearly, *in propria persona*, preach twelve sermons at the least, within every dioces where his benefice doth ly. Of the which twelve, eight at the least shalbe in his own cure. But if the

BOOK III. said licenced preacher have two benefices, then he shal preach eight sermons at each of his benefices every year at
114 least: and shal yearly make particular and true certificate thereof to the Bishop of every said dioces, betwixt Easter and Midsummer; upon pain to have their licences revoked, or otherwise to be proceded against for their negligence.

Item, The Bishop, or Archdeacon, or other Ordinary, with the advice or consent of the Bishop, shal appoint six or seven public preachers, to preach by course every Sunday, in the parishes within a convenient limit, near adjoyning to their habitation; where there is no licenced preacher. So that there may be in every such parish one sermon at the least every quarter. And the parties charged with the cure of the said parish, shal bear the charges of the dinner, and horse meat of the said preacher; and procure some Minister neer adjoyning to his benefice, to serve his cure that day in his absence; unles he have a Curate of his own there.

It is concluded, that the exercises above written, and no other, shalbe henceforth publicly or privatly used within any part of this province.

Number XXXIII.

The instrument of the benevolence of the Clergy in Convocation, to the Queen, anno 1586. *Offered by the Archbishop.*

Most excellent and most gracious Sovereign Lady:

Chap. xvii. Paper Office. WE your Prelats and Clergy of the province of Canterbury, now gethered together in a convocation, or synod, calling to our minds, and considering with al thankful remembrance, the manifold and great benefits that every member of this realm generally hath and doth daily receive, by the blessing of Almighty God, under your Majesties most happy and peaceable government; and we our selves, especially by your gracious and princely care over

us; whereby we do not only enjoy our lives and livings in happy peace, but also the free exercise of our ministry and function, the true preaching of the word of God, and the sincere administring of the holy sacraments; to us far more dear than our lives or livings: and further, seeing the infinite occasions, that through the execrable malice of the enemies of the Gospel of Christ do daily arise; whereby your Highnes is driven to many extraordinary and inestimable expences for the necessary defence of the Gospel and your Highnes dominions; in token of our dutiful and thankful hearts to your Majesties most royal person, have, with one joint consent and hearty good wil, over and above one subsidy of six shillings in the pound, already granted to your Highnes, your heirs and successors, in this our convocation or synod, yielded to give, and by these presents do give and grant unto your Highnes person only, a benevolence or contribution of three shillings of every whole pound, of the clear yearly value of al ecclesiastical and spiritual promotions, within the said province of Canterbury, and of the lands, benefices, and appropriations, and other possessions and revenues to the same belonging, and now remaining unseparated from the same, and in the possession of the Clergy, to their only use, according to the taxation and valuation, mentioned in our said grant of the said subsidy; the *tenths* thereof being deducted, and not otherwise: if it shal please your Highnes to like and assent thereunto; al vicarages under the value of 10*l.* after the rate of the said tax, and al lands, revenues, possessions, benefices, and appropriations, belonging to either of the Universities of Cambridge or Oxford, or unto any college, hall, or house of students in the same, or either of them; or to the collegiate church of Westminster, the free chapel or college of Windsor, the college of Winchester, founded by Bishop Wickham; or to any almes-house, hospital, or grammar-school, or assigned, appointed, or 115
used to the maintenance of any preacher or reader of divinity, poor men, school-masters, ushers, grammarians, petty canons, conducts, vicars choral, singing men, choris-

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ters, vergers, or any other necessary inferior officers, in any cathedral or collegiate church or college within the said province; or towards the re-edifying or repairing of any the same cathedral or collegiate churches or colleges onely excepted. The same contribution or benevolence of three shillings in the pound, as aforesaid, to be made to such person or persons as your Majesty shal appoint for the receit thereof, to your Highnes onely use; at three several payments, without any deduction, saving of *four pence* of every pound for the collection and portage; and without any maner of charge to the accomptant, saving three shillings and four *d.* for the general acquittance of every of the said three payments. The first thereof to be due the first of May next; and the second payment to be due the first of May, which shalbe in the year of our Lord 1588. And the third payment to be due the first of May, which shalbe in the year of our Lord 1589.

And we, your said Prelats and Clergy, most humbly beseech your Majesty to take in good part our loving minds and good wil; and not only to accept of this smal gift of ours, tho' it be nothing answerable to our desires: but also by your Majesties letters patents under your Great Seal to assent thereunto; and to licence and authorize us in this our convocation and synod, to devise, make, and ordain such orders, decrees, and constitutions, provincial and synodal, as we shal think most expedient for the more speedy and sure levying and payment of the same benevolence or contribution. And therby also to give and testify your Majesties royal assent to such orders, decrees, and constitutions, as in this our synod or convocation we shal make, decree, or ordain, for the speedy and sure levying and payment thereof, to such person or persons as your Majesty shal appoint for the receipt thereof, as is aforesaid.

In cujus rei testimonium nos Johannes, divina providentia Cant. Archiepiscopus, &c. ad petitionem confratrum nostrorum et totius Cleri nostræ Cant. provinciæ, sigillum nostrum archiepiscopale præsentibus apposuimus.

Dat. in ecclesia collegiata Dom. Petri Westmonaster. 4to *die mensis Martii, anno Domini secundum Ecclesiæ Anglican. computationem,* 1586.

Extract. è registro provincial. sedis Archiep. Cantuar. &c.

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Mr. Treasurer of the Household his opinion, touching her Majesty's safety; upon the discovery of Babington's plot, to kill her, and to set the Scotch Queen upon the throne. Written as a Privy Counsellor, now absent from the Court, July the 6, 1586.

FIRST, He doth think it necessary, that the warrs for the defence of the libertyes of the Low Countries, and especially of Holland and Zealand, may be maintained. And that for that purpose, the Parlament should assemble in Michaelmas term next: that her Majesty may perceive in time the disposition of her good subjects; how largly they, who be not already burthened personally in that service, wol contribute to her Majesties maintenance of that service. And herein I am to renew mine offer, made to her Majesty at Noon Sutch the last year, for example. The which mine offer was, to give her Majesty one hundred pounds a year, for the space of seven years, (if the warrs shal so long there continue,) yearly, to be paid before the last day of March. My last subsidy, equal to Mr. Vice Chamberlain, was for 200*l.* lands, 4 shil. of the pound, paid in two years, to the sum of 40*l.* only. Where this my new offer is, after that reckoning yearly, two subsidies and an half: and in seven years would amount to seventeen such subsidies and one half. Chap. xviii. Epist. D. Fr. Knollys, Eq. Aur. penes me.

Secondly, Hee doth think it necessary, that a straiter account be taken of *recusants,* and that a difference might be made between traiterous and seditious *recusants,* and those that are more simple. And care would be had and used, that recusants should not presume to come into her Majesties Court; and especially, not into her Majesties

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presence. For which purpose, such *ferritors* in that behalf, by secret inquisition (as Mr. Topcliff is) would be comforted. Again, it were good (for avoiding that recusants should not swarm too fast) that her Majesty should shew her self offended with such as do pretend to be good subjects, and yet do suffer their wives to be open recusants. For no man can deny, but that the law giveth to every man so much power over his wife, that he may constrain his wife to come to church; and there to remain quietly for the service time. But what an open window wol that be, to cause recusants to encrease, and to swarm, if her Majesty wol suffer men to serve her; and to continue servants or greater officers in her house; the which wil suffer their wives to continue recusants. But this they would soon amend, if they shal hear and know, that her Majesty would keep no such servants, that, after warning given, wol not amend this fault.

Thirdly, He doth think it necessary for her Majesties safty, that the *absolute authority* of private Bishops without appele should be so far restrained, that they should not condemn known zealous preachers against the Pope's supremacy, for refusing to subscribe to unlawful articles; nor without the assembly of a *synodal councel* of *preachers*. For *absolute authority* of private Bishops doth teach a way, and make an high way, to Popery. Because *ambition* and *covetousnes* are the chief instruments to draw lordly Bishops thereunto, or to the high way that leadeth thereunto. And that your Bishops forget not the humility of Christ to appertain to their ministry and bishopric. And that they may remember to have their magistracy and lordship over their brethren only from your Majesties temporal sword. To this end, it were necessary, that your Bishops should keep their courts in your Majesties name. Therby to acknowledg, that their rule over their brethren is temporal, and not spiritual by vertue of *popish canons*.

Number XXXV.

Means for the stay of the declining and falling away in religion.

THE decay and falling away in religion groweth two ways. The one through lack of instruction: for that there hath not been that care taken that appertained, to furnish the Church with learned and godly Ministers. The other, through the coruption that hath grown by the evil example of the recusants; and the subtil persuasions used by the Seminaries, as wel those that are restrained, as others, dispersed through the realm. Chap. xviii. Chart. Rob. Beale, Cleric. Consil. penes me.

For the redress of the first, these things following would be put in execution.

I. To provide, that the churches endued with convenient livings, may be furnished with learned and godly preachers.

II. To remove such Ministers, whose scandalous life doth breed offence.

III. To provide, that the youth of the realm may be diligently catechized.

IV. That non-residents, which neither feed body nor soul, to be in some sort removed.

For the first, a general examination is to be made, whether the Ministers, presented since the 13th of her Majesties reign, be qualified according to the statute. That for a more due proceding therein, and for the better countenancing of the matter, it shalbe convenient, that the Bishops in their several dioceses shal cal unto them, for their assistance, certain grave and wel affected gentlemen within the same dioces, to joyne with them in the due examination of the said Ministers. I.

That al recusants that are patrons shal, during the time of their recusancy, upon the death of any incumbents, be ordered to commit the choise of a new Minister to the Bishop of the dioces.

That it shalbe requisite to devise some way for the staying of the *Quare impedits*, by appointing of some grave persons, as the two Chief Justices of the land, and others,

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to joyn with the Archbishop of Canterbury; for the deciding of al controversies between the Bishop and the patron. Or else, for the ease of al parties, it were not amiss, that some grave persons were joyned with the Dean in every dioces, for the deciding of the said controversys, if they cannot be by them decided.

That altho' this maner of proceding may be thought not convenient, as tending to the stopping of the ordinary course of the common law; yet considering how greatly religion may be advanced hereby, and her Majesties state strengthened, by the encrease of wel affected subjects, it may stand with due course of policy, to have the same helped by her Majesties prerogative.

II. For the removing of scandalous Ministers, it shalbe requisite that the Bishops (forasmuch as their ordinary officers, as Chancellors and Archdeacons, for the most part, do rather seek to cover faults, than to remove and reform the corrupted) do appoint some grave and learned Ministers, to joyn with the same officers in due examination of the crimes the said persons shalbe found to stand charged with al. And to se such as shalbe deprivable by the law, to be removed out of the ministry: and others not deprivable, to be otherwise punished, as may stand with the censures of the Church, agreable with the antient canons.

III. For the wel instructing and catechizing of the youth, it shalbe requisite that the Bishops do appoint certain grave and learned preachers to joyn with the Archdeacons, in causing the Ministers within their several cures to se the youth more carefully instructed than heretofore they have been. And for the better execution thereof, it were con-
118 venient that the said Archdeacons did appoint the Rural Deans (if they be men learned and wel-affected) to have a particular care thereof. And for lack of sufficiency in them, to appoint certain grave preachers to have a kind of superintendency over certain churches; as wel to se the youth carefully instructed, as the Ministers to live soberly, and to discharge their duties painfully, as appertaineth to their vocation.

A general order also should be taken, that al schoolmasters be bound, or otherwise should be ordered, to catechize their scholars. BOOK III.

For the removing of the non-residents; they may be ordered by the Bishops, either to reside, by the space of certain months, upon their several cures; or els to appoint such sufficient substitutes in their places, able to instruct the people and to catechize the youth, as by the Ordinary shalbe allowed of. To whom there would be special charge given, to allow or admit of none, but such as shalbe found sufficient. IV.

The *means* to stay the declining, in respect of the corruptions growing of the recusants;

First, It is to be considered, how they be hinderers of the course of religion; and how they be principal instruments to draw the wel-affected, weakly instructed, to fall away. Which wil appear by consideration of these things following:

I. They offend in example.

II. They corrupt by persuasion.

III. They relieve secretly Jesuits and Seminaries (the poison of this estate) with mony, both abroad and at home.

IV. They train up their children in erroneous religion.

V. They corrupt their servants attending on them.

The remedies.

For the first, They are to be removed from the places where they may do most hurt in example. And the penalty of the law is to be inflicted upon them, if it shal not be thought meet to yield some qualification therein.

For the second, They are to enter into bonds, that they shal not persuade nor deal with any of her Majesties subjects in point of religion. Which if they shal refuse to do, then to be committed.

For the third, To enter into like band, not to minister, directly or indirectly, any relief unto Jesuits and Seminaries, neither abroad nor at home. Whereof, for the better clearing of themselves, they are twice in the year to be put to their oaths.

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For the fourth, The Bishops of the dioces are to be directed to provide learned and sound teachers, for the training up of their children. And the said recusants to be ordered by my Lords, to enter into bonds, to send their children, by a day to be named by the Bishops, to such places, as by them shalbe appointed.

For the last, They are to be limited touching their numbers, and some yearly penalty to be set on the heads of such their servants as shal offend.

Seminaries.

Of these kind of people there be two sorts, some *restrained*, and others *abroad*.

The mischief wrought by the *restrained*. They are instruments at hand, (by reason of the corruption of their keepers,) to draw her Majesties subjects from their obedience in point of religion. They are the receivers of news, both at Court and City. Which they distribute to their partizans, both within the realm and without. They are also the setters of plots, both for attempts against her Majesties person, and the invasion of the realm.

119 The mischief wrought by them *abroad*. They run from country to country, and from house to house: and do draw, by persuasion, numbers of her Majesties subjects to fall away in religion. They hold a kind of correspondence with those *restrained:* and are distributers of such news as they receive from them. They put the ill-affected of this realm (as they run through the country) in comfort, that they shal have foreign support, for the change and alteration of religion.

Remedies.

For the *restrained*. The execution of them, as experience sheweth, in respect of their constancy, or rather obstinacy, moveth some to compassion, and draweth some to affect their religion: upon conceit, that such extraordinary contempt of death cannot but procede from above. Whereby many have fallen away. And therefore it is a thing meet to be considered, whether some other remedy be not meet to be put in execution? And in case the execution of them

shal not be thought the best course, (saving a few, for example sake,) then it is to be considered, what other way were fit to be held with them?

There are of these Seminaries two sorts. Some learned, and politic withal, and of great persuasion. Others simple, having more zele than wit or learning.

For the first, They are to be sent to Wisbich, or some such like places; where they might be under honest keepers, and be restrained from access and intelligence. For that being banished, they might do a great deal of harm.

For the second, They may be banished, as others before, upon penalty to be executed, if they return. And for the more horror, such as were banished, and are returned, to be presently executed.

For *those abroad.* Admonition is to be given by proclamation, that such as shal, after the publication thereof, receive them, shalbe proceded against by the last statute. That such as have received them, since the making of the said statute, and shal revele the same unto the next Justice within twenty days after the publication, and shal enter into bond for not receiving them for time to come, to be freed from the penalty. And in case they shal not revele it, then to be subject to the law.

That the said Jesuits shal have a time limited to depart the realm: and to be freed from the penalty, so as they depart before the time limited.

All inn-keepers and other victuallers to be bound by the Justices, that in case any guest, not known to be wel-affected, or not to have cause to remain for necessary business in the places where the said hosts shal inhabit, and shal remain there above one night, to be presented to the next public officer, to be appointed by the Justices, for the examining of such persons as by the said inn-keepers and victuallers shalbe produced before them.

BOOK III.

Number XXXVI.

120 *The Lord Treasurer to divers Bishops; to inform them of conditions of the Justices of peace, in their respective dioceses.*

Sept. the 4th, 1587.

Chap. xix. MSS. ecclesiast. penes me.

AFTER my harty commendations. Whereas her Majesty, about the end of the last Trinity term, commanded my Lord Chancellor, and others the Lords of her Privy Council, to peruse the numbers of the Justices for the peace in the realm, and to diminish the great numbers thereof: for that it was of long time reported to her Majesty, that the number in the most shires of the realm was excessive, and rather an hindrance than furtherance to the peace: whereupon, my said Lord Chancellor and the rest of us, having charge from her Majesty to se this her commandment executed, wee thought it good for to recommend to the several charges of the Justices of assize, the consideration thereof within every shire of their circuits, requiring them to advertize us, in what sort her Majesties commandment might best take place, to diminish the number where they should think it excessive; and to inform us of the names of such, as either in respect of the over-great number might be spared, or otherwise, for their non-residence in the shire, do not give their attendance in the service; or for their inability in learning and countenance meet for that place; or for their backwardness in furtherance of the law established for advancement of religion, were meet to be left out of the commission. Whereupon the most part of the Justices of assize did speedily advertize us their opinions: and so with more speed (because the time of assizes came hastily on) than for such a cause was requisite, there was a number which had been before Justices of peace some longer time than others, appointed to be left out of the commission.

Since which time information hath been given to me; and so, I think, to some others, that the removing of divers out of the said commission hath and wilbe some hindrance,

both to the state of religion, and preservation of the peace. For that altho' many that were displaced might be wel forborn, as men unmeet, yet some almost in every shire, that were displaced, were more fit to have remained than others that were suffered to continue. In that many of them that were displaced are known wel-affected to religion; and many of them, for the place of their habitation, necessarily to be continued. The remedy whereby is intended, as I think, to be sought for the next Michaelmas term, before there shalbe cause to renew the said commissions.

And because I, as one of the number of her Majesties Council, to whom her Majesty committed this charge, would gladly be better informed by others, that have commodity to understand the condition of the persons thus displaced, than I can of myne own knowledg; I am thus bold to communicate the state of this cause to your Lordship at more length: praying your Lordship, (to whom the care to further religion in the counties, that in your dioces more properly appertaineth.) And do therefore hartily pray you, even for God's cause, and in favour of justice, to confer, either by your letters, or by some of your godly Ministers, or other men wel-affected towards religion and justice in every county within your dioces, about this cause; and to enquire the truth, as neer as by circumspect inquisition you may, of these few points following:

First, Who they are that are displaced. Which is most readily to be known, if otherwise you cannot know it, by reports from the Custos Rotulorum, or his deputy, or of the Clark of the peace, in every shire. And of these, so displaced, to advertise your opinion, upon your conference had, 121
how many of them were meet to be restored to their former places: and for what particular reasons and considerations.

Secondly, Who are left to remain in commission, that may be spared for these considerations following; which, in truth, were especially meant to have been regarded for the excluding of any:

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First, Whether any of them are not recusants from coming to the church.

Secondly, Whether they are not known hinderers of religion in their actions; as in favouring of recusants, or of Seminaries and Jesuits, and such like. Or, that their wives and families come not to the church.

Thirdly, Whether they have not their fathers or their children in commission in the same counties with them. Or whether they have any houses of dwelling in the county, or neer thereto?

Fourthly, Whether they be not more busy, by colour of law, to nourish suits, than to compound them?

And lastly, Whether they are not of so mean living and countenance, as they do not answer in subsidy to her Majesty as peers of 20*l.* or some better value in goods.

These particular points were thought by us al in council, worthy matters to disable any such to remain in commission.

And therefore, I pray your Lordship, have regard, in your inquisition and certificate, to these several respects. For, with my good wil, I would neither give my assent to restore any already displaced, or to permit any hereafter to continue, against whom those particular points, or any of them, may justly be alledged.

And altho' I am thus bold to acquaint your Lordship in this liberal sort with my opinion, and to put you to these pains; yet I pray your Lordship to use this my letter with that circumspection, that you deal herein with none, but such as are discrete and secret: so as neither I, for seeking to be satisfied, nor your Lordship for dealing herein, may be maligned or sinisterly censured.

For I assure your Lordship, I have no other meaning, but to be so truly informed, as with a safe conscience I may give my advice to the reformation of the abuses, which her Majesty so earnestly mindeth to have avoided, by the excessive number of unmeet Justices.

And so I have answer from your Lordship at any time

between the first day of the next term, I shal think my self wel satisfied. BOOK III.

And I assure your Lordship, I wil none otherwise be known of these advertisements, than your self shal direct.

Number XXXVII. 122

The Archbishop and Lord Treasurer, to the President and Fellows of St. John's college; to receive Mr. Digby as a Fellow of their house.

AFTER our hartie commendations; We have perused all the instructions, allegations, and proofes transmitted unto us, in Mr. Digby's cause, together with the statute of St. John's colledge. And seing it is probable, by one man's letter and another's oathe, that there was a decree, urging the Steward to come for the debt due to the colledge, unto the Seniors chamber, and is well proved, that custome hath so observed it, and that Mr. Digby desired you to call the Seniors, for determination of the *controversie* arisen betwixt the Steward and him, whereupon he would pay the money; and likewise, that he offered to pay the debt, if the Steward would go with him to his chamber; which though the Steward promised to do, yet did not; and that Mr. Digby came presentlie downe into the *hall* with the money in his hand: we are of opynion, that he is hereby cleared *a mala fide, et mora in non solvendo;* which your statute meant, no doubt, especially to have punished: albeit, we cannot commende his unadvised and peremptorie standing in the circumstance of the place of payment, whereupon such doubtfull perill might redound to himself. In the manner of proceding against him, we observe these errors and nullities. Chap. xix. MSS. Acad.

First, He was not expreslie by name published to be discommoned, but generally, by a kind of reference, to the crossing of his name in the buttrye-book. This we take not to be according to the woords nor meaning of the statute, because it breedeth no sufficient certentie; for as

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much as there may be other occasions of being crossed there, and of being out of commons, then for not paying. Besides, that there appeareth no full proof that his name was crossed: for it is but the deposition of one of the butlers.

Secondly, We think that the statute meant not to have any further proceeding or punishment, then losse of chamber, and selling such goods as should be found there, (except the colledg could not thereby be fully satisfied,) that then the partie should be restored to his commons. Now such sale was not first made, and yet is (as we take it) even in this case required.

Thirdly, The admonitions, other than the last given the 26th of January, are not directly proved. For albeit three depose of certain woordes, tending that way, to have been uttered by the President the first of January; yet they add withall, that, by the manner thereof, they took it not for any admonition: when the second admonition, or in what sort it was given, (which is alleaged by you to have been the second of January,) none doth depose. Of the third admonition, supposed to have been given on Thursday night before Twelf-day, in the *hall*, at the fyer, one onely deposeth; and yet he also addeth, that the woordes were spoken in such friendly manner, that he thought not of any meaning that the President could have to give an admonition. Neither do we take them, if it were admitted that they all were given, to be such admonitions as the statute and verie reason it self requireth. For they ought to be done as judiciall acts, so as the partie himself, uppon whom the perill resteth, be purposely called thereto; and such as he thereby may both take dyrect knowledge of the magistrates intention, and those Seniors al so who are used as witnesses, and for more solemnitie of the action; and that they are not to be done slilye, under-hand, *obiter se perfunctoriè, captiosè vel fraudulenter*, as the President seam-
123 eth to have dealt in this action. Neither the partie himself, nor the Seniors then present, being able to conceive thereof any such meaning. Besides, that we think the true mean-

ing of the statute was, to have the admonitions presently recorded in the booke, at the least, before those Seniors who are to be witnesses of it, according to the use also in other colledges at like occasions.

Finallie, The statute requireth, that the admonitions to a person discommoned, who yet taketh his commons, *adhibeantur simili modo et forma*, as for not paying the debt to the colledg is prescribed, before they can have *eandem vim in singulis gradibus erga delinquentem*. That this was not done, your own matter of defence doth lay down. For it is there alleaged, that he was admonished, *primo, secundo, quarto, et vigesimo sexto Januarii:* whereas there should be eight days betwixt every of the three admonitions. So that assuredlie, we cannot in any justice or equitie judge upon this proceeding, that his fellowship ought to be lost. The presumptions alleaged against him for corruption in matter of religion are, in truth, exactly to be enquyred of; and (if they may be proved) except he wilbe ready to clear himself sufficiently, and to renounce those opynions publicklye, we do think him unfitt to remayn either in that or anie other societie.

In the mean time, we do earnestly wish and also require you to repute and accepte of Mr. Digbie, as a Fellow of that colledge in his former right thereof, unto all intents and purposes, such former pretended proceading against him, in any wise notwithstanding. And so we bidd you hartilye farewell. From the Court the vith day of Aprill, 1588.

Your loving friends,

Jo. Cantuar.

Will. Burghley.

Number XXXVIII.

The Archbishop's circular letter to the Bishops of his province; for the Clergy's finding arms this dangerous year of 1588.

Chap. xix. Regist. Whitg. vol. i. fol. 162. 6.

AFTER our very harty commendations to your Lordship. You cannot be ignorant of the sundry endeavours in divers

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parts of this realm, by the lieutenants and others, since the time of these late dangers of *foreign invasion* by the procurement of the *Pope* and his *adherents*, to have had al ecclesiastical men assessed (according as the rate of their livings do bear) to the *finding* of horse and other warlike furniture, and to shew with others at common musters. Which purpose, altho' it hath hitherto been stayed for some considerations; yet being members of one and the self same common-weal, and embarked in the like common dangers with others; if not more, in respect of our callings and public profession of religion; whereby we are also bound to go before others, as wel in word as in good example: we are therefore to remember, and advisedly to weigh with our selves, what dutiful forwardnes against these extraordinary imminent dangers, of very congruence, is expected at our
124 hands, for the defence of our gracious Sovereign, our selves, our families, and country: and beside the very good expectation of the best, the stirring up of those which otherwise are but slow to further such service, and the discouraging of the common enemy: our willing readines herein wilbe a good means also to stop the mouths of such as do think those temporal blessings, which God hath in mercy bestowed upon us, to be too much: and therefore spare not in grudging maner to say, that themselves are forced, to their great charges, to fight for us, while we live quietly at home, without providing any munition in these public perils.

For which and divers other weighty respects of great consideration, I have lately received letters from my Lords of her Majesties most honorable Privy Council; requiring me in very earnest sort, to move al the Bishops within my province, with what convenient speed may be, effectually to deal with those of their cathedral churches, and other beneficed men in their dioceses; but especially such as be of better ability for the furnishing of themselves with lances, light horses, petronels on horseback, muskets, calivers, pikes, halberds, bills, or bow and arrows, as in regard of their several abilities shalbe thought most convenient. I

am therefore accordingly hereby to require your Lordship, to whom their abilities are best known, to take a special care, by al good persuasions you can, to move such ecclesiastical persons of your dioces to be ready with al free and voluntary provision of man, horse, and furniture, as your Lordship shal think good to allot unto every one to find; and to be shewed at some convenient day and place, as you shal thereunto appoint. Desiring your Lordship with what convenient speed you can, to certify particularly the names of every ecclesiastical person, and the particular furniture by him provided. To the intent, both your own care herein (whereof I nothing doubt) may appear; and what regard every one severally hath of his duty, for the furthering of the present necessary service; being no great charge, and so expedient for every one to have in readiness, for the defence of his own person, house, and family, upon any sudden occasion that hereafter may happen. Wherein, I trust, every one wil be ready, to the uttermost of his power, to follow the free and voluntary example in this behalf shewed by the Clergy of some dioces in the realm, before any such monition was made unto them; which, the more frank and voluntary it shal be, the more acceptable to the Queens most excellent Majesty, and a great cause of rejoycing to al that love and wish wel to the state ecclesiastical. And thus I commit your Lordship to Gods holy tuition.

From Croydon, the 29. of May, 1588.

Your Lordships loving brother in Christ,

Jo. Cant.

Number XXXIX. 125

A paper of arguments for the Queen's supreme power in causes ecclesiastical.

I. IN the whole course of the Old Testament, we see it appertained to the king, from time to time, to make orders and establish Church policy. They had power to make decrees and canons in those affairs. So as they made and deposed the High Priest; destroyed things abused, tho' they Chap. xx. Cotton. Librar. Cleopatra, F. 2.

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were by the law commanded; established feasts; gave the Levites a law, as wel for ecclesiastical service, as for the sanctification of the people and of the temple. And we se further, they had power to assemble councils to this end: and that therin, they have taken counsil of their princes and other politic officers.

II. The same course was held in the primitive Church: as appears in the history of Constantine and his successors; and especially Justinian, in his Code and in his Novells. They made not onely ordinances for goods, revenues, and possessions ecclesiastical; but also touching the persons of Clerks, Deacons, Priests, Bishops, Archbishops, Metropolitans, Primates, Popes, Abbots, Abbesses, Monks, and Nuns. And by their laws have Bishops been forbidden to keep women in their houses as their sisters, which were not of their kin.

L. eum qui probabilem, 19 *cod. de Episc.*
Novella de Episc. 123. *Cod.* 36. *Novell.* 133. c. *Novell.* 79. c. 1.

III. And they made ordinances concerning points of faith: and declared it to be lawful to read them in any language. *Novell.* 146.

IV. They ordained and confirmed councils Oecumenic: and appointed times for holding them. *Novell.* 131. *c.* 1. 177. *c.* 4.

V. Concerning sacraments; they commanded that prayers in Baptism and the Lords Supper should not be secretly mumbled, but pronounced with a loud voice, that the people might understand, and be edified. *Novell.* 137. *c.* 6.

VI. They appointed, that Bishops, Priests, and Monks, that could not make those prayers, should be punished. *Novell. de Ordinatione Episcoporum*, 137. *in pr.*

VII. They declared, that the Communion should be publicly celebrated, and not in private. *Novell.* 58. 131. *c.* 8.

VIII. They condemned such as denyed the resurrection, the last judgment, and that angels were Gods creatures. *Novell. Et liceat* 146. *c.* 2.

IX. They forbade swearing by Gods head, &c. *Novell. Et non.*

X. They made laws concerning the *Trinity, the person, nature, and offices of Jesus Christ.*

XI. I omit their laws of funeral sermons; privileges and immunities of churches and of the Clergy, oaths, marriage, usury, simony, appeals.

Such councils as were held without the Emperors commandment were reputed unlawful. So as Ruffinus, objecting the authority of a certain council against S. Hierom; he answereth, Shew me what emperor commanded, that that council should be held. *In Apologetico contra Ruffin. Ad eund. in epitaphio Paulæ.*

Number XL. 126

The inscription upon the monument of Edwin Sandes, some time Archbishop of York, in the collegiate church of Southwel in Nottinghamshire.

EDWINUS SANDES, S. Th. D. postquam Wigornien- Chap. xxi.
sem episcopatum xi. annos, totidemque, tribus demptis, Round the edge of the monument.
Londinensem gessisset, Eboracensis sui archiepiscopatus anno xii°. vitæ autem lxix°. obiit Julii x°. anno Dom. 1588.

Cujus hic reconditum cadaver jacet, genere non humilis, At the head of it.
vixit dignitate locoque magnus, exemplo major, duplici functus episcopatu; archiepiscopali tandem amplitudine etiam illustris: honores hosce mercatus grandi pretio, meritis virtutibusque. Homo hominum a malitia et vindicta innocentissimus, magnanimus, apertus, et tantum nescius adulari, summè liberalis atque misericors, hospitalissimus, optimus, facilis, et in sola vitia superbus: scilicet, haud minora quàm locutus est, vixit; et fuit in Evangelii prædicandi laboribus, ad extremum usque halitum, mirabiliter assiduus. A sermonibus ejus nunquam non melior discederes. Facundus volebat esse, et videbatur. Ignavos, sedulitatis suæ conscius, oderat. Bonas literas auxit, pro

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facultatibus. Ecclesiæ patrimonium, velut rem Deo secratam decuit, intactum defendit. Gratiâ qua floruit, apud illustrissimam mortalium Elizabetham effecit, ne hanc in qua jaces ecclesiam, tu jacentem cerneres, venerande Præsul. Utriusque memorandum fortunæ exemplar, qui tanta cum gesseris multo his majora, animo ad omnia semper impavido, perpessus es; carceres, exilia, amplissimarum facultatum amissiones, quodque omnium difficillimè innocens perferre animus consuevit, immanes calumnias: et hac re unâ votis tuis minor, quod Christo testimonium, etiam sanguine, non præbueris. Attamen qui in prosperis tantos fluctus, et post agonum tot adversa, tandem quietis sempiternæ portum, fessus mundi, Deique sitiens, reperisti. Æternum lætare: vice sanguinis sunt sudores tui.

At the feet under the arms.

Abi, lector, nec ista scias tantùm ut sciveris, sed ut imitere. *Verbum Domini manet in æternum.*

Number XLI.

A proclamation against seditious and schismatical books and libells, &c.

Chap. xxi.

THE Queens most excellent Majesty, considering how within these few years past, and now of late, certain seditious and evil disposed persons towards her Majesty, and the government established for causes ecclesiastical within her dominions, have devised, written, printed, or caused to be seditiously and secretly published and dispersed, sundry schismatical and seditious books, defamatory libells, and other phantastical writings, among her subjects; containing in them doctrines very erroneous, and other matters monstrously untrue, and slanderous to the State, and against the godly reformation of religion and government ecclesiastical established by law; and so quietly of long time continued: and against also the persons of the Bishops, and others placed in authority ecclesiastical, under her Highnes, by
127 her authority; in railing sort, and beyond the bounds of al good humanity: al which books, libells, and writings,

tend by their scope to persuade and bring in a monstrous and apparent dangerous innovation, within her Majesties dominions and countries, of al maner of ecclesiastical government, now in use; and to the abridging, or rather to the overthrow of her Highnes lawful prerogative, allowed by God's law, and established by the laws of the realm; and consequently, to reverse, dissolve, and set at liberty the present government of the Church, and to make a dangerous change of the form of doctrine, and use of the *divine service of God, and ministration of the sacraments*, now also in use; with a rash and malicious purpose also to dissolve the state of the *prelacy*, being one of the *three antient estates* of this realm under her Highnes: whereof her Majesty mindeth to have such a reverend regard, as to their places in the Church and Commonwealth appertaineth: all which said leud and seditious practices do directly tend to the manifest wilful breach of a great number of good laws and statutes of this realm: inconveniences nothing regarded by such innovation.

In consideration whereof, her Highnes minding to provide some good and speedy remedy to withstand such notable, dangerous, and ungodly attempts; and for that purpose, to have such enormous malefactors discovered, and condignly punished, signifieth this her Highnes misliking and indignation of such dangerous and wicked enterprizes. And for that purpose, doth wil and straitly charge and command, that al persons whatsoever, within her Majesties realms and dominions, who have, or hereafter shal have, any of the said seditious books, pamphlets, libells, or writings, or any of the like nature, already published, or hereafter to be published, in his or their custody, containing such matters as above were mentioned, against the present order and government of the Church of England, or the lawful Ministers thereof, or against the *rites and ceremonies* used in the Church, and allowed by the *laws of the land:* that they do presently after, with convenient speed, bring and deliver up the same unto the Ordinary of the dioces, or of the place where they inhabit, to the intent they may be

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utterly defaced by the said Ordinary, or otherwise used by them.

And that from henceforth no person presume to be so hardy as to write, contrive, print, or cause to be published or distributed, or to keep any of the same, or any other books, libells, or writings of like nature and quality. And that no man hereafter give any instructions, directions, favour, or assistance, to the contriving, writing, printing, publishing, or dispersing of the same, or such like books, libells, &c. as they tender her Majesties good favour, wil avoid her high displeasure, and as they will answer to the contrary at their uttermost perills; and upon such further pains and penalties, as by the law any way may be inflicted upon the offenders, in any of these behalves; as persons maintaining such seditious actions: which her Majesty mindeth to have severely executed.

And if any person have any knowledge of the authors, writers, printers, or dispersers thereof, that shal within one month after the publication hereof discover the same to the Ordinary of the place, where he hath such knowledge, or to any of her Majesties Privy Council; the same person shal not, for his former concelement, be hereafter molested or troubled.

Given at our palace at Westminster, the 13. of February, 1588. in the 31. of our reign.

Printed by the deputies of Chr. Barker.

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Number XLII.

A collection of slanderous speeches in Martin Marprelate's books, against Archbishop Whitgift.

Chap. xxii. MSS. Collect. Whitg. R. T. Bret. LL. D.

RECUSANTS have more favour with his Canterburiness, than the Puritans. The printer of traiterous books [*viz.* Thackwell] hath more favour at his graceless hands, than the printer [*viz.* Waldgrave] of Puritan books. That he knowing of the printing of Popery (at the least) in Charter House, never called the party *coram* for it. That he

erected a new printer, one Thomas Orwin, contrary to the decree of Star-chamber. That he threatned Lawsons wife, to send her to Bridewel, for telling Dr. Pern, how to get his name out of the book of martyrs.

Our Metropolitans religion and the Spanyards, with the rest of our popish enemies, differ not much. As, of the article of Christ's descension into hel. His maintaining hierarchy of Bishops. His ascribing the name of Priests to the Ministers of the Gospel. He accounteth the preaching of the *word* an *heresy;* and doth mortally abhor and persecute it. He wil do against law, against God, and against his own conscience, rather than the *heresy* of preaching should prevail.

That he, against his own conscience, denyed the Earl of Warwicks request, that Mr. Evans might be receved with a favourable subscription. That he deprived Mr. Wigginton [who was the great instructer and counsillour of mad Hacket] against law.

That he commanded the *new Bible* should not be bound without the *Apocrypha.* O! monstrous and ungodly wretch. Dr. Sparke set his Grace and the Bishop of Winchester at a *nonplus.* His Grace lately made, or meaneth to make, Richard Patrick, a clothier of Worcester, of the reading ministry: I fear you shal be *Hildebrand* indeed, a firebrand indeed. He is king of pride, (Gregory, or Jhon, Bishop of Constantinople,) he is Lucifer, which preferreth himself before his brethren. He hath forsaken the faith, and is the forerunner of Antichrist. Put the case, that my Lord of Cant. is such an one. Concerning pride, some Popes may be inferior to our Bishops: as, for ill-sample, his Canterburiness. A good ill-sample. I wil not say, his Grace is an infidel; neither yet swear, that he is much better.

His Grace shal never get me to swear against my conscience. Thy universal Priest (speaking to Dr. Bridges, Dean of Sarum) must have his seat out of Italy, as for fashions sake. *Popery* maintaineth the crown of Canter-

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bury. A *Paltrypolitan*, the Pope of Lambeth, are titles agreable to his function. Is not he a very knave indeed, that thus hideth Popery and knavery. It may be, you hinder her Majesty of many thousand of pounds. This is no knavery, my Lord. Is not this ambitious wretch at the highest, think you? O! dangerous hypocrisy! Remember your brother Haman.

Doth your Grace remember what the Jesuits in Newgate said of you? Namely, that my Lord of Canterbury should surely be a Cardinal, if ever *Popery* came again into England? (Yea, and a brave Cardinal too.) What a knave was this Jesuite? Believe me, I would not have said so much for a 1000*l.* lest a *scandalum magnatum* should be had against me. But wel said he, that said, *Thought is free.*

He [meaning the Archbishop] was Dr. Pernes boy, and bare his *Clokebag Jhon* with his Canterburiness. His gracelesness of *Cant. Jhon Canter.*

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129 Number XLIII.

An answer to two questions propounded by a Privy Counsellor, concerning Bishops and their superiority.

Chap. xxiii. MSS. pap. of Archb. Whitg. pen. R. T. Bret. LL.D. No. 3.

FORASMUCH as her Majesties supreme authority is jealously to be preserved, as some Councillors to her Majesty do think; upon the which occasion there hath risen two questions; the which two questions, a Councillor to her Majesty [Sir Francis Knowles] did desire a grave learned man to shew his opinion in that behalf; whereupon the same learned man did write his opinion, as followeth.

The doubt, moved by your Honour, touching *superiority* among Ministers of the word and sacraments, resteth in these two questions.

I. Whether the name of a *Bishop*, as of any office having superiority over many churches, or over the Pastors thereof, be known in the *holy Scriptures*, or no?

II. Whether superiority committed to a Minister of the word and sacraments, over many churches and Pastors, be maintainable by the word of God, or no?

Touching the first, mine opinion is, that the name of *Bishop*, importing such superiority, is not to be found in the Scriptures. For, by the whole course thereof, it appears, that the name of *Episcopus* and *Presbyter* imported one function. So as he that was a *Pastor*, or *Elder*, was also a Bishop: and the Bishop in like sort called *Elder*. And therefore the name of *Episcopus*, being no name of distinction in office from the *Elder*, could not import superiority, &c.

And then the writer procedes to particular places in Titus and the Philippians, Ephesians, Timothy, &c. And in conclusion thus he writeth:

Thus much touching the *first question:* wherein I deliver not mine own phantasies, but the judgment of other learned men; and namely, of one of the flowers and jewels of our age, Anthonius Sadelius; who is now with the King of Navarr; a man furnished with great variety of learning, of deep knowledge in the Scripture, and of excellent wit.

Of the second question, I think shortly thus; That the supreme civil magistrate, in every country, may appoint under-officers, in the execution of that government, which he hath in ecclesiastical causes, as wel as he may do in civil matters. For the reason is al one with them both.

I do also think, that he is not restrained, but that he may appoint to that execution Ministers of the word and sacraments, as he may do others; whereof there be no precedent in the New Testament. For that in the times of the Apostles, no civil magistrate professed Christs religion, but oppugned it. Yet, because I find no restraint hereof, I am led to this opinion. Magistrates, I know, have to consider, how they burthen this sort of men with unfit charges; but this no lett, but they may use them in this execution in some maner. And what imperfection soever be in this commission granted by the Prince or by the law; I take it that the subject is bound to accept it,

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as an humane ordinance; and yield thereto his obedience. And that he may no more examine the justice thereof, of purpose to stay his duty, than he may do in any other law or policy of the country where he liveth.

1 Pet. ii. 13, 14.

But as I think this charge may be in some maner committed to Ministers of the word, so am I out of doubt, that the same so don is but an human ordinance, and may not be intitled to any greater authority, nor otherwise said to be *Gods ordinance*, than al *officers* of *civil magistrates* be. And as they do therefore bear the name of *humane ordinances*, because they are not set down in the *word of God* what they be, with al their bounds and limits; but are such as the policy of every country maketh them to be.

130 As for example, we se in some place his power is tyed to laws: somewhere he may make laws, that shal reach to the subjects life and goods; and otherwhere he cannot, and so forth, where variety is much more in inferior magistrates. So is this authority committed to Bishops, by the same name to be termed. Because it is known and limited by humane policy, and not otherwise.

The Bishops of this realm do not (so far as I ever yet heard) nor must not claim to themselves any greater authority, than is given them by the statute of the 25. of K. Henry VIII. revived in the first year of her Majesties reign; or by other statutes of this land. Neither is it reasonable that they should make other claims. For if it had pleased her Majesty, with the wisdom of the realm, to have used no Bishops at al, we could not have complained justly of any defect in our Church. Or if it had liked them to have limited the authority of Bishops to shorter termes, they might not have said, they had any wrong. But sith it pleased her Majesty to use the ministry of Bishops, and to assign them this authority, it must be to me, that am a subject, as Gods ordinance. And therefore to be obeyed according to S. Paul his rule.

A supply to this former part.

This which I have said concerneth that part of our Bishops jurisdiction, which her Majesty might exercise in

her own person, or commit to persons of other quality. And therefore it cannot be doubted but that they execute it by humane ordinance. But certain functions there be, which the Bishops of this realm hold, either in common with al Ministers; as administration of the word and sacraments; or with few others besides themselves, as the censures of *excommunication*, and whatsoever is thereto incident: or, thirdly, peculiar to themselves, as imposition of hands. None of which are claimed by the Prince: as by her Majesties most gracious declaration, annexed to her *injunctions*, and by the *apology* of our Church, appeareth.

Of the two last of these kinds it may be a question, whether the superiority which Bishops have therein is Gods immediate institution, or a matter rather so disposed of in their persons, as the rest of their jurisdiction is, or not. For my part, I take the case al one. For, in regard that they be taken from the common power of every Church; and assigned either to the Bishops alone, or to them with some few; it must be judged an humane ordinance, and the superiority which they enjoy herein is in this consideration, as Lambertus Danæus, a learned man, writeth, *humanus episcopatus*.

I reverence the gravity and learning of the reverend Fathers of our Church; and in confidence thereof do assure my self, that, if it were demanded, by what warrant they onely do impose hands; or why they, with the Archdeacons, and a few others that have *peculiar* jurisdiction, as it is termed, do execute the Church censures; they would say, they had for it the laws and policy of this realm. Whereto, forasmuch as her Majesty giveth life, they must consequently maintain, they do it by her Majesties authority: and so derive it from God: because she is the Lords immediate minister with us. For, if it had pleased her Majesty to have assigned the imposition of hands to the Deans of every cathedral church, or some other number of Ministers, which in no sort were Bishops, but as they be Pastors; there had been no wrong don to their persons, that I can conceive. If therefore it was in her

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hands to dispose of the persons that shal execute these functions, as it liked her best; and that she hath not used one course in both, as I have said, it must follow that this superiority, assigned to their persons, is a matter of policy, and meerly humane, &c. Then the writer proceeds to alledge S. Hierom, and some modern writers, as Calvin, Musculus, Beza, Hemingius, Sanchy, and Sadelius, and Danæus.

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Number XLIV.

A private discourse of Dr. Hutton, Bishop of Durham, with the Lord Treasurer and Secretary Walsingham; in favour of episcopacy, &c. *related in a letter to Archbishop Whitgift.*

Chap. xxiv. MSS. Guil. Petyt. Armig.

MY humble duty remembred. By your letters, sent by Mr. Dethick, I perceive that your Grace hath heard of some speeches which past between my Lord Treasurer, Mr. Secretary Walsingham, and my self at the Court, in my Lords inner chamber; where we three only did dine together. You desire to know the effect of the conference. The truth is, I was passing wel used of them both: but as wel opposed (especially by my Lord Treasurer) as I was these many years. By occasion of talk, we fel into many matters: but, as I now remember, three were the principal, *viz.*

The *judicials* of *Moses.*

The *authority* of a Prince in *causes ecclesiastical.* And

The *antiquity* and *lawfulness* of a Bishop.

I wil not take upon me to set down their questions and reasons: partly, because I do not now perfectly bear them in memory; and partly, because I think I cannot pen them so wel as they were uttered by them. For altho' my Lord his mind be ful fraught with the affairs of the realm; yet when I heard him reason in these points, methoughts I heard a fresh University man dispute by art. And Mr. Secretary also did far exceed my expectation, in knowledge of matters of divinity.

To the first, this was the effect of mine answer, That the law of Moses, being of three sorts, *moral*, *ceremonial*, and *judicial*, the *moral* continueth stil: the *ceremonial*, as shadows and types of Christ, the body; and therefore are taken away clean. The *judicial* are made not necessary: but yet may be used or not used, as shal be thought most convenient to the commonwealth. One of the chief and principal reasons was this; that these three several [sorts of] laws were tyed, as it were, to three several subjects:

The *ceremonial* to the priesthood:

The *judicial* to the regiment or politic government:

The *moral* law, to the very nature of man, being created after the image of God: whereby he is bound to love God and his neighbour.

Now, as S. Paul saith, Hebr. vii. *Translato sacerdotio*, &c. *There must of necessity be a change of the law*, meaning of the ceremonial law; so *a simili*, or rather *a pari;* sith there is no nation or state bound to have that regiment which the people of Israel did live under: yet, sith the Lord hath utterly destroyed it from the earth, to shew that it ought not to be eternal; therefore no nation, no state, is bound to punish sin by *judicials* of Moses; but may, having alway respect to the law of nature and the weal public, either encrease the punishment, as of theft in this realm, where it is punished with death; or diminish it, as in adultery, which is not punished with death: tho' I wish that a more sharp punishment were by law appointed unto that sin, in this wanton and lascivious time. Now, as for the *moral law*, it may not be changed; because we cannot so cast away the nature of man, made after the image of God, but that we do owe, and must owe, this duty to God, to love him, and to love our neighbour.

The second *question* of importance was, of the *princes authority in causes ecclesiastical.*

The *answer* tended unto this; That it hath been the custom of godly princes to advaunce *true religion*, to put down *idolatry*, and to punish *idolaters;* to deal with mat-

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ters and persons ecclesiastical, as David, Solomon, Asa, Jehosaphat, Ezechias, Josias, Constantine, Theodosius,
132 Justinian, and many others. Not that the prince may exercise the office of a priest, no more than he may exercise the office of the husband towards any of his subjects wives. Yet may he punish both husband and wife, if they do not their duty either to other. So may the prince punish the judges, and other ministers of justice, if they pervert justice, tho' they have not skil to give sentence in Westminster Hal. So may he punish both Bishops and other persons ecclesiastical, if they do not their duty. But as in matters of law the opinion of expert lawyers is requisite; so is the prince, in causes of religion, to take advice of the word of God, and the best learned in the land in the same, lest he be deceived. I alledge out of Aristotle, Ἄρχων ἐστὶ φύλαξ νόμου: and did inferr, that a *Christian magistrate* is keeper and protector of *Christian laws:* having, as it were, a sword in his one hand, and the two tables of Moses, or the two testaments, in the other: to punish the breakers, both of the first table, which containeth religion; and of the second, which teacheth maners.

I alledged certain places out of Augustin to that effect: and shewed, how Emperors called councils; commanded Bishops; committed causes ecclesiastical, sometimes unto them, and sometimes unto others, to hear and determine: how that Miltiades, Bishop of Rome, (as both Augustine and Optatus do testify,) was appointed by the Emperor, with certain other Bishops of Italy and France, to hear the cause of Cæcilianus. So that these two titles, now in her Majesties stile, *viz.* Defender of the Faith, and Supreme Governour; the one sent from the Pope to her Highnes father, (tho' in another sense, like the prophesy of Caiaphas,) the other in true sense given unto her by Parlament; do give her no new authority; but declare some part of that authority, which God himself hath given her; in that he hath made her a Christian Prince and chief governour of this kingdom. In whom is fulfilled

the saying of God to his Church, Esa. xlix. *Erunt reges alumni tui*, &c. And that which is in the second Psalm, *Et nunc reges intelligite: erudimini, qui judicatis terram.*

The third *question* was, of the *authority* and warrant of a *Bishop.*

My *answer* was, *Hujus rei gratiâ, reliqui te in Creta, ut quæ desunt pergas corrigere*, &c. Tit. i. Also, *Adversus presbyterum ne accipias accusationem*, &c. 1 Tim. v. Here is the chief office of a Bishop set down; to appoint and constitute Priests in parishes, and to amend things amiss in the Church. Whereby it appears, that both Titus and Timothy did exercise the office of Bishops. Therefore, both Hierom and Eusebius affirm, that they were Bishops, the one of Crete, and the other of Ephesus. And albeit that it cannot be denyed, but that these names, *Episcopus* and *Presbyter*, in the New Testament, are often used for one thing, for Priests and Ministers of the word and sacraments; as Act. xx. S. Paul sent from Miletus for the Priests that were at Ephesus; and speaking unto them, he calls them *Bishops: Attendite vobis, et universo gregi, in quo vos posuit Spiritus Sanctus* Episcopos. Whom before S. Luke calleth *Elders*, or *Priests*, S. Paul calleth *Bishops.* Likewise, Tit. i. first, he calls them *Priests; Ut constituas oppidatim Presbyteros:* then he calls them *Bishops; Opportet enim Episcopum irreprehensibilem esse:* also, in the first to the Philippians, he saluteth the saints at Philippi, together with the Bishops and Deacons. *Bishops* in this place do signify *Elders* or *Priests.* For it is not like that there were many Bishops in that one city at that time, as the word doth now signify. Yet it is certain that there was an office in the Apostles time, which Titus and Timothy did exercise, which was distinct from the office of them who had only authority to preach and minister the sacraments, but not to appoint Priests, and censure offenders. No, by a general council of al the Church, they which do execute the same office which Titus and Timothy did, by the appointment of the Apostles, are called *Episcopi*, the other are called *Presbyteri*, or *Sa-*

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cerdotes: and since the Apostles times, have been distinct, both name and office. And this was don, *in schismatis remedium*, as Hierom said upon the Epistle to Titus, and in an epistle that he writeth to Evagrius. In which, albeit he confoundeth the names, yet liketh he wel of the
133 distinction of the offices. For, as Christ is *Apostolus*, Hebr. iii. and *Episcopus*, 1 Pet. ii. and S. Peter doth cal himself *Presbyter;* 1 Pet. v. and S. Hierom saith, that S. John, the Evangelist and Apostle, calleth himself *Presbyter* in his two last Epistles; (for there he seemeth to ascribe those Epistles to John the Apostle;) yet may we not confound the offices of Elder or Priest, Bishop and Apostle.

I alledged last of al, that Epiphanius, writing against Aerius, concludeth it for a heresy to say, *Idem est Episcopus et Presbyter*. And he alledgeth, against that heretic and that heresy, some of those places I cited before, to prove that they are distinct offices. He addeth furthermore, that *Presbyter gignit filios,* (meaning, by preaching the Gospel;) but *Episcopus gignit patres*, meaning, that he doth appoint Presbyters unto the Church, which were *fathers*.

Many other things were spoken of at that time: but these were the principal, as I do remember. Also sundry replications, and very pertinent, were made to some speeches that did pass me: but, as I take it, rather to prove me, and to know mine opinion, than that they misliked that which I said. For they seemed in the end very wel to allow of mine answers, and used me most honorably.

I am sorry to hear that your Grace is so abused of some unquiet spirits, &c. And thus I bid your Grace most hartily wel to fare. York, in my packing to Duresme, this x. of October, 1589.

Your Graces most assured in Christ,

Matth. Dunelm.

Number XLV.

Robert Browne's letter to the Lord Treasurer; concerning his Latin tables and treatise; for rectifying the knowledge of arts and sciences by the word of God.

Chap. xxiv. MSS. Burghlian. penes me.

WITH special reverence and dutiful submission, I exhibit this treatise to your Honour: the Latine tables, and definition thereof, I have before-time written to your Lordship: which, as I understand, have been shewed to some learned and reverend Fathers, the Bishops: but are either neglected, or through greater business forgotten. Nevertheles, I assure my self, and dare offer the challenge, that here in this treatise I have justly altered the arts, and the rules and termes of art, by evidence of the word: and have corrected many errors of al our Professors: yea, many falsified points of learning, both in the method and truth of the arts, and also of religion.

Also, I am for to justify this treatise, and the exact method and truth thereof, against the multitude of philosophers, doctors, and writers heretofore. Further, I offer to prove, that the word of God doth expresly set down al necessary and general rules of the arts; and al learning: as may appear by this book. But should more appear, if examples were added, and the contrary errors more largely discovered.

Oh! that our Universities were herein better advised and reformed! I dare say no more. But I judge that that prophesy was of God, touching Oxford and Stameford: and that, to the shame of Oxford, which then withstood and prevail'd against Stameford, suppressing it, and the truth therewith. Oh! right honourable and prudent, I speak no toy: but even in this poor treatise of me, a Stameford man, do se it partly verified: yea, I dare, by Gods help, and your Lordships favour, undertake this 134
place or cause: that in one year scholars may wel learn together those arts, which scarcely in ten years they untowardly learn in the Universities. And that by divine wisdom and prudence they shal confute their *logic:*

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by right speech and language, disprove their *grammar:* by right use of proverbs and proverbial speeches, or by words, disprove their *rhetoric:* also their *arithmetic,* by the right rules of numbring. Their *geometry,* by better mesuring: their *music,* by better melody: their *metaphysics,* by the laws of creation, covenant, and sanctification: their *ethics, œconomies, politics,* by true religion and righteousnes.

Yet I condemn none of the arts, but onely the falseness of them. And if it were not, that I am become odious to many for the truth sake, I would not doubt, by Gods grace, to bring many thousands [to be] of my mind and judgment; and in very short time perfect them in the former studies, as is above specified. I mean, if I were authorized to read public lectures, and make profession accordingly. For, as Plato, Aristotle, Socrates, and Pythagoras, made many thousand scholars; and that without any public maintenance or charge, and within very few years: so much rather the arts and points of religion more truly handled, and utterly differing from them al, I would hope, by your Lordships good countenance onely, to perform much rather the like: and that in al quietnes also: not meddling to condemne or controwl any learned man, or any kind of profession. Thus, being longer herein than I would, I cease: praying for your Honours health and eternal bliss.

Your Honours poor orator,

Robert Browne.

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Number I.

Thomas Cartwright, to the Lord Treasurer; to pacify the Queen's displeasure towards him; being now under the arrest of the commission ecclesiastical.

THE boldness I have to bring my suit unto you, right honourable and my singular good Lord, rather than unto any other of her Majesties most honourable Privy Councel, groweth from hence, that I was once a member of that University whereof your Lordship was, and yet is, the most worthy Chancellor. For if the intyreness of affection unto it have power to incorporate me into the body thereof, I would nothing doubt, but that I might now make the same claim unto your honourable protection, which at any time I did, when I corporally and actually remained there. Chap. ii. Epist. Tho. Cartwright. penes me.

So it is therefore, if it please your good Lordship, that with much grief of mind I have understood of her Majesties heavy displesure against me: in whose gracious favour, next under God, the comfort of my life, and of those that depend upon me, doth consist. Whereof, it may be, that at this time I stand under the arrest of her high commission in causes ecclesiastical, for appearance upon Thursday next. When, what matter may be objected, I know not: but this I wel know; that from the writing of my last book, (which was thirteen years ago,) I never wrot, or procured any thing to be printed, which might be in any sort offensive to her Majesty or the State; much less had any hand, or so much as a finger in the book under Martins name.

And altho' there have been divers books of Antimartins, printed and read of al that list; wherein I have not only been most contemptuously derided, as unlearned; but my

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good name most slanderously rent and torn in pieces; as, to be a dicer, and to have thrust one through the legg with a knife; also, that I love a cup of sack and sugar; and other such like; whereof, I thank God, there is not the least suspicion. Yet I am hable to make good proof, that from the first beginning of Martin unto this day, I have continually, upon any occasion, testified both my mislike and sorrow for such kind of disordered proceeding.

For my ministry also, which I have exercised now almost five years, sithence my return out of the Low Countries; notwithstanding there have been directed to the place of my abode, twice or thrice, men that have made whole sermons invective against me; yet have I as sparingly spoken of any matter in controversy between us and our brethren, as any whatsoever in that country, having the same judgment that I have.

Wherefore, my most humble suit unto your Lordship is, that it would please you, either by counsil, favour, or both, which the Lord hath most plentifully bestowed upon you, to relieve me against the troubles that are coming upon me; especially against her Majesties heavy displesure; which I would redeem with any earthly commodity, how dear soever it be unto me. So with most humble ac-
136 knowledgment of my duty to your Lordship, I commend the same, with al that belongeth unto you, unto the gracious blessing of God, for al encrease of piety and long life, with honour unto the end. This Sunday morning the 4. of October 90.

Your Lordships most humbly to command,
Thomas Cartwright.

Number II.

A short discourse, being the judgment of several of the most learned Doctors of the Civil Law, concerning the practice of their courts, and of the oath ex officio.

Chap. ii. Cott. librar. Cleopatra, F. 1.

ALL matters handled in courts ecclesiastical are either

for duties and rights, there to be prosecuted; or for punishing crimes by law, there punishable.

Al oaths used in any court ecclesiastical are either taken by the party sueing, by the party convented, or by witnesses.

There is no controversy in the law ecclesiastical, but the witnesses are to testify by oath, both for duties ecclesiastical in demand; and touching their knowledg of other mens crimes, punishable there. Neither wil it be denyed, but that the parties themselves that sue, or be sued, are to answer for rights and duties in demand upon their oaths.

Therefore, whether or how the parties themselves may be examined by their oaths, touching their own crimes punishable in a court ecclesiastical, may only seem doubtful.

In this behalf we are to consider proceedings, either by Ordinaries, or by the Queens Majesties Commissioners, or Delegates: who proceed according to their commission, warranted by act of Parlament.

No man may be urged to bewray himself in hidden and secret crimes; or simply therein to accuse himself.

Al crimes that be *prohibita, quia mala;* as symony, adultery, or such like; and are naturally sought by the delinquents to be kept hidden; and are committed secretly, being works of darkness; these are such as are hardly to be proved by witnesses: yet when by circumstance once known abroad they become to be vehemently suspected, and offensive to the wel disposed, and dangerous to be suffered, as being evil examples in al wel governed commonwealths, and displeasing the majesty of God; they are meet by enquiry and al good means to be discovered: that they may be reformed, the parties brought to penitency, and other discouraged from committing the like.

The suspicion and fame of crimes come to the Ordinaries ears, either by many brutes of credible persons, called *clamosa insinuatio;* or by the presentment of church-

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wardens or sidemen, sworn to enquire diligently, and truly to present from time to time such crimes, or the fames thereof.

If the presentment be not so directly set down, through their ignorance or otherwise, as law requireth to prove a fame; and yet some scandal therupon groweth, the Ordinary, by law ecclesiastical, and in good discretion, may examine other neighbours thereof, as witnesses, touching
137 their knowledg of such crime or fame; warning the party suspected to be present at the taking of such depositions.

If the fame be proved, or the first presentment be sufficient, whereby that which was secret before is found to be so public, as it becometh offensive; the Ordinary, of duty, and for the public trust reposed in him, is to procede against the infamed; tho' no other man wil prosecute: which the law termeth, *proceeding by enquiry*, especially, *ex officio, ne maleficia remaneant impunita; utque provincia purgetur malis hominibus.*

If any other man beside the Ordinary wil prosecute, making himself party to prove the crime; then the party convented, albeit he must answer upon his oath to other articles, and principally touching the very crime objected; yet by law he is not bound to answer upon oath any articles of the very crime it self.

But if the Ordinary, at no mans instance, upon the fame presented, procede *ex officio*, if the party deny the crime objected, then he is by law enjoyned his purgation. At which time of purgation he must directly answer, clearing or convicting himself, *de veritate vel falsitate ipsius criminis objecti.* And his compurgators are to swear *de credulitate*, (weighing his fear of God, and conversation in former times,) that they believe he hath taken a true oath. Which, if they do, then he is holden clear, and dismissed. If he fail in his purgation, then, *fictione juris*, he is taken to be guilty of the crime, and to be reformed.

The reason of this diversity, after a fame proved, the law assigneth to be this: *Licet nemo tenetur seipsum*

prodere; tamen proditus per famam, tenetur seipsum ostendere, utrum possit suam innocentiam ostendere, et seipsum purgare.

The reason of that ground of law in this behalf is this; because penances enjoyned by the Ordinary are not taken in law to be *pœnæ*, but *medicinæ*, or tending to the reformation of the delinquent, the example of others, and the satisfaction of the Church, offended justly at his lewd conversation. And therefore they are not to make scruple to discover themselves after fame.

These are undoubted grounds in the law ecclesiastical, according to which the proceedings in al the ecclesiastical courts in this realm have been used time out of mind. And if any Judg ecclesiastical have proceded otherwise, such procedings have always been reformed by appellations.

Will. Aubery,	Richard Cosin,	Rob. Forth,
Tho. Byng,	W. Lewin,	John Lloyd,
Dan. Dun,	Edward Stanhope,	Ny. Styward.

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The doctrine, with some practices of sundry troublesome Ministers in England, tending to the erecting a new pretended discipline, and to the overthrow of her Majesty's government and prerogative, as well in causes civil as ecclesiastical.

THIS [a] discipline is a government in all causes ecclesiasticall, by a Doctor, Pastor, governing Elders, Deacons, and Releevers, or widows, in every parish. And by twelve Ministers together, for a *classis*, or conference; by certen Ministers and Elders out of twenty-four *classes* for a provinciall synode, or councile; and by certen lyke, chosen out of every province, to make a nationall synode, or generall assemblee.

Chap. v. MSS. Whitg. penes me.

[a] Disciplina Sacra et Synodica.

1. In the describing and handling of this discipline, in bookes of that matter, (besides their grosse absurdities in

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divinitee, and confusions and impossibilities in policie,) they do impugne her Majesties royall prerogative and government:

[b] Ibidem et omnes reliqui.

First, By [b] taking away nominations to bishopprickes and deaneries, and her right of advowsons originally, and patronage paramount, upon lapses of inferior benefices.

[c] Disciplina Synodica, tit. De Conventib. 2. Admonitio. pag. 14. 31. Disciplin. Gallica, tit. Des Synodes Nationaulx. artic. 5.

Secondly, By [c] giving to their *general assembly* the last appellation in causes ecclesiastical, which is now made to her Highnes in her Chancerie.

Thirdly, By taking to themselves autoritie to make lawes ecclesiastical.

[d] Theolog. Fenneri, cum Epistola T. C. Pref. pag. 277.

For they say, That [d] the supreme autoritie in all matters ecclesiastical belongeth to their eldershippes and other assemblees:

[e] New Book of Common Prayer, pag. 75.

[f] T. C. Replic. p. 74.

That [e] the policie of the Church appertaineth to Ministers and Seniors; and [f] that without injurie to the Minister she cannot so much as prescribe him the forme of his apparel.

[g] Soldier of Barwike. Prefat. A. 4.

Another of them addeth, [g] That by the same autoritie that the Queen commandeth the one, (*viz.* Ministers apparell,) she may command any peece of *popery*, so that she call it *policie*. But Josias and Ezechias knew no such auctoritie.

[h] Snecanus, pag. 442. J. B. lib. ii. De Polit. Civil. et Ecclesiastic. p. 83. 97. 98. 129.

Fourthly, By [h] attributing to her Highnes and her magistrates no more then the Papists do, *potestatem facti, non juris in causis ecclesiasticis; viz.* That which they determine to be law and right, the Prince and her officers shall see it put in execution politically.

[i] Discipl. Synod. tit. Ac Conventib. Eccl.

Fifthly, [i] By giving to their assemblies power to call synodes when they think good.

[k] Walt. Travers. Eccles. Disc. cum Epistola T. C. pag. 142.

Sixthly, [k] By making her Highnes subject to the censures and excommunication of their elderships and other assemblies.

[l] Counterpoison. 174.

For els [l] she cannot be a child of the Church.

[m] Theolog. Fenner. 186.

2. They likewise by their plott shake the safety of her Majesty and of the realm, by [m] making certen magistrates in every common wealth, (as Gods institution,) who shall have autoritie to depose their Sovereign, either by warre

or otherwise, if he seem to them to break covenaunt, as the Ephori in Lacedemon had.

Secondly, By [n] teaching, that the Prince ought not to determine any matter of weight, without the publique assemblee of all the states of the land.

[n] Ibid. pag. 167.

Thirdly, [o] By teaching, that the government of the commonwealth must be framed to the government of the Church, as the hanging to the house.

[o] T. C. Reply, p. 646.

And [p] they make the Church government partly *popular*, of all the people; and partly *oligarchical*, of a few Ministers and Elders.

[p] Omnes illius sectæ.

3. Again, they impayre the revenues of the crowne: 139

First, By teaching [q] that things once consecrated to God, for the service of the Church, belong to him for ever; calling the [r] having of impropriations and abby lands, *sacrilege*.

[q] Complaint of the Communaltie. c. b.

[r] 2. Admonit. pag. 13. Learned Discourse, p. 54.

Secondly, [s] By urging an immunitee of the revenues of persons ecclesiastical from publick impositions. For they call it in us, impietie, barbarousnes, and covetousnes, worse then the *heathens*, not to set the Priests possession free, as the kings of Ægypt did their Priests, and call all yearly ecclesiastical contributions to the Quene by the name of *robberies*.

[s] Wal. Travers. Eccl. Discip. pag. 87. b. et 88. b. cum Epist. T. C. præfixa.

4. *Lastly*, They abrogate or change the greatest part of the lawes of the lande: and namely, for examples sake,

First, By [t] urging *legem talionis;* an eye for an eye, &c.

[t] Theolog. Fenner. p. 178.

Secondly, [u] By urging, of necessitie, the *judicial law* of Moses, for penaltees of death upon blasphemers, disobedient to parents, or that curse them, and such like. For they hold [v], that no prince or lawe may spare the life of any such persons.

[u] Ibid. pag. 174, 175, 176, 177.

[v] T. C. Reply, pag. 36.

Thirdly, [w] By teaching that Ministers should be judges *juris*, what is law in all matters; and civil magistrates judges only of the fact.

[w] J. B. lib. ii. De Polit. Civili et Eccles. pag. 128, 129, 130.

Fourthly, By affirming [x] that all controversies of doctrine and manners (so far as apperteyneth to conscience) do belong to the determination of eldershippes and other Church assemblies.

[x] Demonstration of Disc. p. 80.

BOOK IV.

Fifthly, In saying [y] that of all other grievous enormities layd upon this Church of England, this is the greatest, *That it is not lawful to utter that which we learn truly out of the Scriptures: we must be in danger of a præmunire*, if we follow not the lawes of the land, though they be against the Scriptures. By which aforesayd, they take from her Majesty, and draw to themselves, all the *prerogative royal* and *government*, aswel in civil as ecclesiastical causes.

[y] 2. Admon. pag. 10.

5. They also deprive the justice of the realm, and Lords of the Council, as writing thus: [z] "I will not in this place "charge our Council with that which followeth, &c. "namely, that they execute no judgment, no, not the "judgment of the fatherless. But this I will say, that they "cannot possibly deal truly in the matter of justice be- "tween man and man; insomuch, as they bend all their "forces to bereave Jesus Christ of that right which he hath "in the government of his Church. The which ungodly "and wicked course, as they have held on ever since "the beginning of her Majesties reign; so at this day "they have taken greater boldness, and growen more "rebellious against the Lord and his cause, then ever "they were."

[z] Epistle before the book, termed, Reformation no Enemy to the State, pag. 4, 5.

All these mischiefs notwithstanding, they take the matter very indignantly: that their [a] sutes to Parlements, supplications to Convocations, writing in defence of it, and challenging to dispute for it, have not prevayled: yet they say it shall prevail, [b] malgre the Quene, Council, [c] and all that stand against it.

[a] Epistle to the Demonstration.

[b] Reformation no Enemy, b. i.

[c] Epistle to the Demonstration *circa finem.*

To bring to pass that it may so prevail, they have penned a book of discipline, partly termed *holy*, partly *synodicall* [d], conteining rules of their eldershipps, classes, synodes, provincial and national, of publick prayers and administration of sacraments, &c. wholly innovating and chaunging all lawes, common and ecclesiastical, concerning Church matters and persons, without once naming the *Christian magistrate* or his *authority*.

[d] Disciplina Sacra et Synodica.

To this book they have procured the [e]subscription of many Ministers according to a sett forme of *articles*: and it is to be feared, even of so many Ministers; besides others in several countryes of the realm as be factiously affected.

[e] Subscription of a Classis of Warwick: and of a Classis of Northampton.

In that their subscription, among other things, [f] they promise to further and advance that *discipline*, not only by sute to the Quenes Majesty, the Council, and Parlement, but by all other lawful and convenient means, and to guide themselves and to be guided by it, and according to it. What by those other lawful means they understand, meete it were to be considered.

[f] Ibidem.

In performance of this their promise, they have for some years past set out their *classes* and *synodes* of Ministers, and (according to the sayd booke) have met in a *classis* every six weeks: in a *provincial synode* every half year: in a general or national assemblee (at London, Cambridge, or Oxford) every year once, and at Parlement tymes. 140

In such [g] their assemblies, they have concluded and decreed (as is already come to light) many points in condemnation of the present state, laws ecclesiastical, and Book of Common Prayer; and for the exercise and setting forward of their new discipline.

[g] Acta Classic. Warwic. an. 1588. ubi fit mentio Classis habit. Cantabrigiæ.

Amongst other things they have concluded, [h] that their discipline is to be taught to the people upon every occasion: that (as yet) the people are not to be stirred up publickly to the practise of this discipline, untill they be better instructed in the knowledge of it: albeit, such as be of riper and forwarder sorte, are privately to be allured to the present exercise of it among themselves.

[h] Ibidem in fine.

According to this determination, they have not ceased, in private and publick speeches and writings, to deprave the present lawes, governors, and government ecclesiastical, and to teach and extol their own discipline, thereby to prepare before-hand the peoples minds.

Seing then it must (as they say) prevayle, malgre all withstanders: [i] and they mention other means to advance it; besides sute to the Quenes Majesty, the Council, and

[i] Subscription to the book of Discipline.

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Parlement: and in one booke it is wished, [k] that the Parlement would bring it in, though it were by withstanding her Majesty: what can those means be, but the prosecution (by force and rebellion) of that plott, which men of the same humour have described and followed in the like case? For they [l] brag of an hundred thousand hands to offer a supplication: which, he sayth, in policie would not be rejected; especially standing thus in daunger of our enemies abroad: [m] that thousands sigh for it, and ten thousands have fought for it, and approved; and worthy men of all shires have consented to it. That [n] some of these matters are such, as, if every hair of our head were a life, we ought to afford them in defence of them.

[k] Epitome of Martin.

[l] Martin senior.

[m] Motion with Submission, p. 39.

[n] T. C. Reply, p. 44.

In [o] their letters, they begin to take care how such as they displace by their reformation, as Bishops, Deans, &c. may be provided for, so as the commonwealth be not pestered with beggars.

[o] Lord to Fen.

They [p] animate one another thus. *Buckle with the Bishops. Massacre these maulkin Ministers.* [q] *Let us take our penniworths of them, and not dy in their debt.*

[p] Lord.

[q] Wight.

[r] One of them asked this question, *What will you say, if we overthrow the Bishops and that government all in one day?*

[r] Snape.

They write, [s] *That if it come in by such means as will make your hearts ake, you must blame your selves.* And, [t] *That it is more then tyme to registre the names of the fittest and hottest brethren round about their severall dwellings, whereby to put Snecames godly counsell in execution,* viz. *If the Prince will not, they to erect it themselves.* "In "which poynt (sayth he) we have dolefully fayled, which "now or never standeth us in hand to prosecute with all cele- "rity, without lingring and staying so long for Parlements."

[s] Epistle to the Demonstr.

[t] Payne to Flud.

As they do publish these things in their books to the world, to possess mens minds thereby; so by [u] bill preferred to the Parlement, for confirmation of a new Book of Common Prayer, they desired to have it also enacted thus: *That as much of all former lawes, customes, statutes, ordinances, and constitutions, as lymite, establish,*

[u] A Book of Common Prayer, with a bill put up in the Lower House of Parlement, an. 29. D. Reginæ nunc.

and set forth to be used any other service, administration of sacraments, common prayers, rites, ceremonies, orders, or government of the Church within this realm, or any other your Majesties dominions or countryes, be from henceforth utterly voyd and of none effect. By which they wholly bereave the Quenes Highnes of her government and prerogative royal, both in *civil* and *ecclesiastical causes*, and conveigh it over to their *Church assemblies*.

Divers of them being detected of the premisses, and required by the *Commissioners ecclesiastical* to make answer upon their oathes, upon some confederacie together, do refuse peremptorily to take oath; affirming, that by the word of God, and lawes of the land, they ought not to take any oath tending to accuse themselves or their brethren. Which course is to the overthrow of the *common justice* of the land in all causes, both *civil* and *ecclesiastical*. For which cause, the *Commissioners ecclesiastical* have deprived, and deposed from the ministerie, sondry of them, and have committed them to prison. Which is all that by that authority may be inflicted upon them. 141

But these enormities being so weightie, and aggravated with so intolerable disobedience, in refusing to be examined upon oath; it seemed (after long consultation and deliberation) unto the two Chief Justices and Chief Baron, to Sergeant Puckering, and to the Quenes Majesties Attorney and Sollicitor, that this matter is of as great and dangerous consequence to the *commonwealth*, as any that of long tyme hath happened. And therefore, for furder discoverie of their courses, and an exemplary punishment, to the terror of others, convenient to be brought to a speedy and publick hearing (upon bill and interrogatories) in the Starre-chamber, against some of the principal dealers; and the penaltie therof fit to be as grievous, as by any order and president of that court hath been or may be inflicted.

And because for misdemeanoures of far less qualitie and daunger, they found, by presidents shewed unto them, that *banishment* and *condemnation* to the *gallies* had by that course been imposed; therefore, for many considerations,

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they thought perpetual banishment to be the most fit punishment in this case, so that it be into some such remote place, as there shalbe no danger of their return; nor of disturbance of the *common quyet* of the realm, by their writings, or otherwise.

Submitting always their sayd opinions to her Majesties most grave and excellent wisdom.

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Number IV.

The prosecution of Thomas Cartwright and others, upon an information against them in the Star-chamber, anno 1591. *Containing the bill and their answer.*

Bill.

Chap. vi. MSS. D. Rog. Burgoin. Eq. Aur.

THE chief branches contained in the preamble of the information, exhibited in the Court of Star-chamber, against Thomas Cartwright, Edmund Snape, Humphrey Fenn, and the rest.

1. Supremacie.

That al power and superiority, next under God, over al estates and persons, and in al causes in your Highnes dominions, is in your Highnes lawfully united to the imperial crown of this realme.

2. Preaching.

That by your most gracious means, the true and sincere word of God, ever

Answer.

THE answer of Thomas Cartwright and the other defendents, to the information; and first to the preamble thereof.

Though these defendents think not themselves bound to answere any parte of the preamble, yet they thought good to take occasion therby to declare their dutiful opinion of the branches thereof. They therefore acknowledge her Majesties supreame authority, according as in her H. injunctions and laws in that behalf is expressed.

They acknowledge, that by her most gracious means, the true and sincere word of

Bill.

since the beginning of your Majesties reigne, hath been universally preached throughout your dominions.

That the ecclesiastical government, received and established by your Highnes aucthority in the Church of England, is lawful, and also allowable by the word of God. And the sacraments ministred, as they be ordeined by the law to be ministred, are godlie and rightlie ministred. And the whole order of publique prayer and ceremonies established by law, is such as no person ought therefore to make any schisme, division, or contention, or withdraw himselfe from the Church.

That no synods, assemblies, or conventicles, ought to be within your Majesties dominions, to treat of, conclude, or establish any lawes, constitutions, or ordinaunces, to be used, executed, or put in practize in your Highnes dominions in anie

Answer.

God is preached, and commanded by her Highnes lawes to be taughte throughout al her dominions.

3. Ecclesiastical government, prayer, sacraments, and ceremonies.

They acknowledge the ecclesiastical governmente, and the sacramentes ministred, together with the whole order of publique prayer and ceremonies to be suche (notwithstanding any thing they thinke meete to be reformed in some of them) as no person oughte therefore to make anie schisme, or withdraw himself from the Church. But whether they be lawful as they are used, they take not themselves bound to answere; both for that this is but a braunche of the preamble, and also but a matter of judgmente, and not of fact. Yet upon commandement, they wil declare what they judge thereof according to the word of God.

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4. Synods.

They acknowledge unfeinedlie from their hearts, that under this her Majesties governmente none of the Clergie may attempte, alledge, claime, or put in ure anie constitution, by what name soever it be called, contrarie to the true

BOOK IV.

Bill.

ecclesiastical cause, or matter concerning anie government, estate, or person; or for the altering of anie lawes, statutes, or ordinaunces, without your Majesties auctoritie and assente.

Answer.

meaning of the statute 25. Hen. VIII. &c. And tho' this be but a parte of the preamble, and a matter of judgmente; yet for further aunswere they say, that no synods, assemblies, or conventicles, ought to be within her Majesties dominions, to treat, or conclude, or establish any constitutions to be put in practize in any ecclesiastical cause or matter, or for the alteration of any lawes, ordinaunces, or, &c. without her Majesties authoritie and assente, otherwise than in peaceable manner to treat and talk of them onely to this end, in al humble dutie, to referre the consideration of them to authoritie set over them, whether it might seeme meete the same to be altered, or no; and do think meetings for such treaties lawful.

The misdemeanours in the information charged, first, indefinitely upon divers persons not named in the bill; secondly, upon the defendents.

Bill.

Answer.

5. Books of discipline.

That divers seditious, dangerous, factious, and disloyal persons, dissevering themselves from the Church of England, have of late years,

To this charge, these defendentes make no other answere; for that it is but in way of a preamble indefinite, without certein tyme or per-

Bill.

without your Majesties authoritie or assent, made sundre unlawful assemblies at Warwick, Northampton, and Cambridge, and sundry other places in the realm. And there have treated of, concluded upon, and set forth a new fourme of governmente, by Doctours, Pastours, Deacons, and Elders; with a new devised fourme of common prayer, and administration of sacramentes, and of discipline to be established: comprized in a book, intituled, *Disciplina Ecclesiæ, sacro Dei verbo descripta:* and in other books and pamphlets of the like nature.

Answer.

sons: and no part of it charged upon these defendentes, then that they do unfeinedlie knowledge, that neither they, nor anie other, may lawfullie dissever themselves from the unitie of the Church of England; although they desire of God, and of al authoritie set over them, a further reformation of the present estate of the 144
Church. But touching so much of the bill, material to be aunswered unto by these defendentes, they sayen, that they, nor anie of them, are not guiltie thereof, or of anie parte in such manner and fourme, as is suggested against them in the information.

The special things charged upon the defendents; with other unnamed.

Bill.

After which, (that is to say,) since the last of September, in the 28. year of your Majesties reygne, Tho. Cartwright, Edmund Snape, Humphrey Fen, Edward Lord, Daniel Wighte, Andrew King, William Proudlove, Mel. Jewel, and John Payne, and other seditious persons, have very unlawfullie and seditiouslie as-

Answer.

1. Conference about the book of Discipline.

These defendentes confess, excepting Melancthon Jewel and John Paine, that they have had sundrie meetings and conferences, by the right of al subjects; and especiallie, by right of Christianitie, for their mutual edification; more especiallie, by profession, being students: and yet the rather, being Ministers, in regard of the

BOOK IV.

Bill.

sembled themselves together concerning the premisses.

2. Agreement upon the book of Discipline.

And in some of those assemblies have very unlawfullie treated of, concluded, and agreed upon sundrie seditious articles, not onlie in approbation of the said bookes and matters therein comprized, but also for putting in execution sundrie the things conteined in them.

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Answer.

waighte of their calling. 2. The creeping in of Jesuites and Seminaries into the land, and the increase of schismaticks, occasioned them the rather to meet and conferre. 3. And the controversies and daungers of our Church otherwise caused them, being the watchmen thereof, the more to seek one to another. 4. And they have heard the Archbishop, being made acquainted with such meetings, liked thereof, so the peace of the Church were studied therein. 5. Also other Bishops in the land allowed the like.

These foresaid defendentes confess they have met since the last of September, the 28th of her Majestie, for these causes. As for the times, places, and persons with whome they mett, not being particularlie expressed in the information, they think their general answere sufficient, seeing they aunswere the particulars of the bill particularlie. They confess to have considered such a draughte of *discipline*. Which they think lawful to do, to shew one consent therein, being charged to

Bill.

The same defendentes, since the said last of September, in the 28th of your Majestie, in unlawful assemblies, have seditiouslie submitted themselves unto the said seditious articles, not only in approbation of the aforesaid bookes, but also for putting in execution sundrie things therein contein-

Answer.

differ one with another in matter of reformation. 2. The right of common subjects in the law especiallie, which Pastors have in the Church allowed them to studie, and advise the redress of things out of order. 3. The abrogation and imperfection of the ecclesiastical law, as appeareth by sundrie statutes, the Book of Common Prayer, and a book, intituled, *Reformatio Legum Ecclesiasticarum Anglie*, set out with allowance of Archbishop Parker: but who set down that book, seeing the bill chargeth not these defendentes, but uncertein persons; and that the first misdemeanour in the bill charged upon the defendentes is after the making of the book, they take not themselves bound to aunswere.

3. Subscription to the book of Discipline.

These defendentes, Tho. Cartwright, Edw. Lord, Hum. Fen, Dan. Wighte, and A. King, onlie confess, that they subscribed certein articles, annexed to that book of Discipline: 1. For some reasons before named, especiallie that of shewing their consent. 2. It is the usual practize of other pro-

BOOK IV.

Bill.

ed. And for the better approbation of that their submission, have subscribed the same articles.

Answer.

fessors, lawyers, physitians, &c. in cases of doubt, to subscribe their judgment. The matter of the discipline subscribed, being agreeable to Gods word; the judgment of so manie learned Divines of sundry ages; and the practize of so manie Churches, old and new, &c. 4. The articles subscribed, were but a declaration of their judgmente, leaving the determination to her Majestie and the Parlament. Which articles were to this effect, (as they remember;) This discipline we approve, as agreeable to Gods word. So we be satisfied in the thing underwritten, (wherein the defendentes were never resolved,) we desire to further it by al lawful means, to be established by the publique aucthoritie of the magistrate and our Church. Which if we may obtein,

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we promise to do nothing against it, whereby the peace of our Church may be disquieted. In the mean tyme, we promise to observe it so far as by the lawes of the land, and peace of our Church, we may. Which subscription was also made

Bill.

The same defendents in the said articles, among other thinges, agreed upon and assented unto, that al Ministers should follow such order, when they preach the word of God. As in the chapitres of the office of the Ministers of the word, of preaching, and of the sacraments of Baptisme and the Lords Supper, is set downe.

Answer.

above three years before the information exhibited.

4. Promise in preachinge.

The last named defendentes promised also above three years past, to observe some thinges in those chapitres set down. Which, as they think, was lawful. 1. The promise was voluntarie, both in making and perfourminge; void of constrainte or censure. 2. It was onlie in thinges left free by law, as in the particulars appeareth. 3. They provide by express exception, to conteine themselves within the lawe and peace of the Churche. 4. The promise was never in such manner perfourmed, as the booke prescribeth. The pointes promised were onlie two: one touching *preachinge;* the other of *meetinges.* The chief pointes in the order of *preaching*, promised, are: 1. To appoint a Psalme before and after the sermon. 2. To make a confession of sins, and to pray for the good deliverie of the word, and receiving of it. 3. To pray after for al estates, and for a blessing upon the word received. 4. To choose the text onlie out of the

BOOK IV.

Bill.

Answer.

canonical Scripture, &c. with such like, no more contrarie to the lawe then these. In the order of *preachinge*, every man used his liberty, one divers from another, as they thought good.

5. New Liturgie.

In the said chapitres, there is a new fourme of publique prayer prescribed under this title, *De ratione Liturgie*, differing from that established by law. Which the defendentes, since the last of September, the 28. of your Majestie, have used and caused to be put in ure, in sundrie partes of your Majesties dominions.

The defendentes denie to have used, or caused to be put in ure, any other fourme of common prayer by the prescription of anie other booke, then that established. Neither doth the booke mentioned in the information prescribe anie booke, conteininge a fourme of common prayer. And touching the use of the Book of Common Prayer established by law, they are not to geeve accompte, seeing the bill chargeth them not with neglect thereof, but with the use of another booke, which they denie to have used, either within booke or without.

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6. Submission of communicantes.

In the said chapitres it is further ordeined, and by them assented unto, that none should be received to the Communion, but such as should first submit themselves to that fourme of discipline.

To the suggested submission of communicantes to that discipline, the defendentes denie ever to have put anie such order in practize, neither allowed it, otherwise then in judgmente; as an order, which they desire the magistrate would establish.

7. Promise in meetinge.

Bill.

The same defendentes, in the same subscription, have promised to follow the order set down in the same booke of Discipline, in the chapitres of *meetinges*, so far as concerneth Ministers of the word. And to that purpose, they did promise to meet everie six weeks in *classical conference;* and in *provincial meetinges* everie half year: and to send from their conferences, as is set downe in the chapitre concerning the *provinces*, &c. And to attend everie general assemblie, and every Parliamente; and as oft as by order it should be thought good to assemble. In which last chapitre, they divide their meetinges into *classical*, *provincial*, and *national;* and twelve Ministers for a *classis;* the deligate Ministers of 24 *classes*, for a *provincial* synod; and the deligate Ministers of al *provincial* synods, to a *national*.

Answer.

Touchinge their meetinges, T. Cartwright, Dan. W. H. Fen, E. Lord, and Andr. K. onlie, do confess, that they promised to meet in conference, as they might by the lawes of the land, and peace of the Church. Which may appeare in their promise to attend everie Parlamente; thereby declaring their desire to have thinges reformed by law onlie, and not by force, if their number were sufficient; (as is suggested in the information;) which they hold unlawful, and protest, they never purposed or thought the same.

And that this promise of meetinge was free, may appear, in that not according to the distribution of the booke, twelve to a *classis*, and twenty-four to a *provincial*, &c. but in less number they mett together: insomuch, that their most often meetinges (to their remembrance) exceeded not seven, and their greatest, not much above twelve. Besides, they never mett of al shires in one province, nor any of the province of York, as they remember. This

BOOK IV.

Bill.

Answer.

distribution was but an order, to be commended to the magistrate, and not to be established without the same. And that these *meetinges* were free and voluntarie, it may farther appear, in that they could, for number and tyme, have observed the prescript of the book in their most ordinarie meetinges, but did it not. So their meetinges differing in tyme and intent of making constitutions from the prescript of the booke, proveth them free from the bond and prescripte of the same booke.

148 The same defendentes unjustlie take unto themselves power and aucthoritie, without your Majesties assent, in those general assemblies, to treat of and conclude upon al the common affaires of al the churches of the kingdome, concerning doctrine, discipline, appellations, and matters not decided in inferior assemblies.

8. Ecclesiastical power in assemblies.

Concerning their taking power and aucthoritie to deal, as is informed, they say, that the chapitres, whereunto the information hath reference, declare the use of the refourmed Churches, and which these defendentes desire to be established by publique aucthoritie. But they denie that ever they took anie such power and aucthoritie, as to treat of, or conclude upon, all or anie the common affaires of all or anie of the churches of the kingdome.

9. Civil power in assemblies.

And under pretence of *discipline* and *charitie*, they

As for dealinge in al causes whatsoever, as the

Bill.

do unjustlie derive unto themselves power to deale in al manner of causes whatsoever.

Answer.

defendentes denie ever to have attempted anie such thinge, so the booke mentioned in the information expreslie forbiddeth the Ministers to deal in civil matters. Neither have the defendentes, under anie pretence, derived power to themselves to deal in al causes, as the information suggesteth.

And these assemblies they do call at their pleasure.

10. Calling assemblies.

Unless a voluntarie agreemente among themselves to meet (without exercisinge aucthoritie one over another) be counted a callinge, they have not called anie. And when they meet by agreemente, it was as their occasions suffered.

And they ordeine, that none should geeve voice in anie of these assemblies, but such as should first subscribe to that fourme of discipline.

11. Voice in assemblies.

To this of geeving voice, they say, as before, that it was no otherwise then in judgment allowed; and the establishment thereof desired and waited for of her Majesty and the Parliamente. Which appeareth in this, that the greatest part of them which mett in conference (to their knowledge) never subscribed that fourme of discipline.

In perfourmance of which subscription and promise, the defendentes verie sedi-

12. Assemblie at Cambridg, 1587.

This supposed meetinge, being so long agoe, they know not, neither do re-

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Bill.

tiouslie assembled with others at Cambridge, anno 1587, as in a *provincial* assemblie: where they treated of, concluded, and ordeined: 1. That it was not lawful to read homilies in the Church. 2. That there should be no superioritie in the Church governmente. 3. That the calling and jurisdiction of Bishops were unlawful. 4. That Ministers deprived are
149 to continue their ministerie, till civil force remove them. 5. The people were not to be solicited unto the practize of discipline, til they were better instructed. 6. That the discipline should be taught upon al occasions. 7. That the riper sort were to be allured to the embracing and present practize of the discipline.

13. Assemblie at Warwick.

After this, in the year 1588, the same defendentes, with others, assembled at Warwick; where they again

Answer.

member, whether any of them mett then and there in conference. But sure they are, that none of them were present, or knew anie of those articles in the bill there treated, concluded, or ordeined. This being as much as the defendentes are charged with, they have not to aunswere, who was there, or what was then and there treated of or concluded. The defendentes say further, that they not onlie concluded not there, or at the supposed meetinge at Warwick, that the discipline should be taught upon anie occasion; but contrariwise advised, for the greater peace of the Church, not to deale with the discipline in controversie, but upon plaine and necessarie text of Scripture; which, by their calling, they should expound. And where such necessitie of text is offered, to abstaine from al immodest and unchristian invectives, teachinge the truthe simplie, in sober and in modest manner.

Touchinge this meetinge at Warwick, these defendentes sayen, that they knew not nor remember anie such

Bill.

treated of and allowed the foresaid articles, concluded at Cambridge.

Answer.

meetinge; and are sure there was no such thing concluded there by them, as the information supposed: but who was there, and what was concluded, being no part of the bill, they have not to aunswere.

The same defendentes, since the first day of Nov. the thirtieth of your Majesties reigne, have sundrie tymes, and in sundrie other places, made several assemblies, concerning the cause aforesaid.

14. Assemblie since the 30th of her Majestie.

Concerninge the assemblie since the 30th of her Majestie, the defendentes confess to have mett for the causes by themselves specified, and in such manner and fourme: but not as is supposed in the information. As for the tymes, places, and persons, being indefinite in the bill, they hope the Courte wil not further enquire of.

And since the same first of November, the defendentes, by writing, printinge, and teachinge publiquelie; and in secret conferences, exercises, and conventicles, have verie seditiouslie approved, advaunced, and set forth the said manner of government, comprized in the said seditious bookes.

15. Writinge, printing, teaching.

Of writing and printinge jointlie taken, they aunswere negativelie: yf it be of private letters and papers in their studies, they hope, yf they had done either, it were not against lawe, or inquirable in this courte, excepte they conteyned heynous crymes; whereof they hope they are not suspected. As for their preaching since that tyme, they referre it to the judgment of their hearers; not knowinge what to aunswere more,

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Bill.

Answer.

16. Depraving. And have done al they could devise, how false and untrue soever, to slaunder, defame, and deprave the ecclesiastical governmente, the fourme of common prayer, and administration of the sacramentes established.

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seeing no certen matter offensive is objected against them.

They denie to have done or devised any thing falselie or unjustlie, to deface or deprave the ecclesiastical governmente, or common prayer, or administration of sacramentes, in respect of the holy things conteined in them, the aucthoritie whereby they are confirmed, and the piety and learning of the persons that framed them.

17. Letters and persuasions. And by several letters and other persuasions, have unlawfullie persuaded your Majesties subjects to embrace, allow, and submitt themselves to the said new devised fourme of discipline, to the great and imminent daunger and utter overthrow of this flourishing commonwealth.

Touching their persuasions used to other, to allow the truthe of discipline, they say, they have not used any farther then the boundes of their calling doth suffer. And as for persuading to submitt themselves to the practize of that fourme of discipline, without the magistrates aucthoritie, they denie to have done it within the tyme limited in the information, or anie other, either by letters or otherwise.

18. Oath refused. The same defendentes, being within one year last past convented lawfulie, at sundrie tymes, before your Majesties High Commissioners, according to the fourme of the statute, in that be-

The same defendentes say, concerning their refusal of that oath, that, besides divers imperfections in the bil, they have alreadie, for the supposed contempte, been long imprisoned, de-

Bill.

half made, the 1. of your Majestie; and beinge severallie required by warrant of the law, and the commission, according to the usual and lawful fourme of an oath in such cases ministred, to aunswere upon their corporal oathes such articles as should be ministred unto them in your Majesties behalf concerning their said misdemeanours; thereby to discover who made the booke, or joyned with them in making, allowing, or executing anie part thereof: notwithstanding, after admonition and deliberation geeven to advise their aunswere; and being made acquainted with the particular pointes, have utterlie refused to take the said oath; alledging, that it is unlawful for them to aunswere upon their oathes: using that practize, to cover their lewd purposes, until by multitude of lewd complices they be able, by force, to put the same in practize; which, underhand, they had seditiouslie devised and concluded, to the utter overthrow of your royal estate and governmente.

Answer.

prived, degraded, al but one. And therefore desire judgmente of the courte, whether they shalbe compelled to make further aunswere?

And to farther aunswere, they say, they refused it, as not agreeable to Gods word. 1. For want of certaine limitation. 2. For want of convenient tyme of deliberation, being of matters done long agoe. 3. Being without accusers; which, especiallie against Ministers, by the Apostles rule, should be two or three, &c. 4. They which were lately put in prison for it, were almost half a year there, before they saw their articles. Which also they aunswered. And namelie, Thomas C. (though not compellable by law, as he thought,) so far as was meete to approve his dutiful carriage, especiallie towards aucthoritie. 5. Besides, the proceedinge hath not been used in matter concerning religion, but in case of heresie: in which also it is repealed by a statute of 25. H. VIII. But these defendentes denie to have refused that oath, to that end and purpose suggested in the

BOOK IV.

Bill.

Answer.

information; protesting, that neither they, nor anie Ministers of their acquaintance, to their knowledge, ever purposed to use or procure anie other meanes of reformation, then teaching, prayer, humble supplication to her Majestie and the Parliamente, and other in auctoritie; with declarations of the reasons moving thereunto: and do unfeinedlie profess, that to procure or intend anie such seditious attempte, as the information insinuatethe, were worthy of death, temporal and eternal.

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19. Oath dissuaded.

And the rather to bring the same to their desired purpose, the said defendentes, since the first of November, the 30th of your Majesties reigne, have at sundrie tymes and places, in their assemblies and exercises, persuaded sundrie your Majesties subjects to refuse any oath, to swear to any matter, that may any way concerne anie the unlawful doings of themselves, their brethren, and teachers.

Touching their dissuading others to take anie oath, to sweare in any matter anie way concerning them, their, &c. they denie to have dissuaded anie such thing in anie of their assemblies or exercises. And their unfeined desire is, that offences should no less bee punished in Ministers which desire reformation, then in al other subjects, according as to justice appertainethe.

20. Supplications procured.

The said defendentes, for the same misdemeanours beeing justlie imprisoned

Concerninge the procuringe and dealing in the supplications exhibited to her

Bill.

by your Majesties Commissioners, and not therewith satisfied, have since St. John Baptist last, by letters and otherwise, very seditiouslie mooved, stirred up, and incited, sundrie your Majesties subjects, in a tumultuous manner, and all, as neer as might be, at one tyme, to exhibite unto your Majestie several petitions, in favour and commendations of sundrie the said offenders, and for their enlargement; impeaching, so far as they durst, the just proceedings against them: thinkinge, by such a tumultuous course, to drive your Majestie to yeeld unto their supplications.

Answer.

Majestie, the defendentes desire to have the bill discharged thereof: 1. Seeing the supplications conteine no matter offensive, neither are charged by the bill with matter which may justlie draw the examination thereof into this courte. 2. Neither doth the bill expresse any force or terror to her Majestie or people in particular; but that divers petitions were exhibited at one tyme, &c. But if the defendentes shall aunswere farther, they say, that they esteeme it not unlawful to procure supplications to her Majestie, so it be with peaceable meanes and dutiful respect. Tho' T. C. A. K. Mel. J. and J. P. procured not nor knew of anie such for them. The rest confess, that being imprisoned, and four of them so continuing a long tyme, after many supplications to the High Commissioners, and waiting some space without hope of comfort from them, upon offer of their hearers to use any lawful meanes for them, they advised them to make humble supplication to her Majestie in their behalfe.

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21. Supplications altered.

Bill.

And whereas the said petitions, penned to that purpose, were brought up to London, and delivered unto
152 Edmund Snape, Humfrey Fen, and Edward Lord, the said three, without consent or privitie of the persons who subscribed the petitions to be exhibited to your Majestie, made some alterations and additions therein; and caused them to be new written, and subscribed the names of the said persons, and caused the new altered petitions to be exhibited to your Majestie. In consideration whereof, and that the said misdemeanours are contrarie to your lawes, and may tend to a daungerous example for want of punishmente, that therefore it may please your Majestie to graunt your writtes *subpœna*, &c.

Answer.

Which supplication, the said Edmund Snape, Humfrey Fen, and Edward Lord, (to their remembrance,) neither altered, nor Humfrey added unto, in anie matter of substaunce; neither caused to be new written and subscribed; and had sufficient auctoritie from them which subscribed, to do anie thing they did about these supplications. All which matters the defendentes are ready to prove, as this high courte shall award. In consideration whereof, and that they, being Ministers of the Gospel, have laboured therein to cary themselves as became them to her Majestie and her lawes, and to the profit of her people, they prayen, that they may not upon suggestions be drawn into disgrace. And that her Majesties favour, by your honourable mediation, may be recovered; and they restored to former libertie.

Number V.

A submission sent by Mr. Attorney General to Cartwright and his fellows in prison; to be by them generally subscribed, for their acknowledgment of the supremacy: but refused. 153

WEE whose names are subscribed, each man for himself, do unfeignedly acknowledge and confess, that al jurisdiction, privilege, and superiority, which by any spiritual or ecclesiastical power or authority heretofore have been or lawfully may by the laws of this realm be exercised or used for the visitation, reformation, and correction of the ecclesiastical state or persons within her Majesties dominions; and for the reformation and correction of al errors, heresies, schismes, abuses, offences, contempts, and enormities within the same; are united to the imperial crown of England: and that her Majestie hath the same power and authority so united to the crown, as wel by Gods law, as by the laws and statutes of this realm. Chap. vi. MSS. G. Petyt. Arm. vol. C.

That by Gods laws, and the laws of this realm, there ought not to be any synods, conventicles, or assemblies, for the concluding or establishing of any laws, articles, ordinances, or constitutions, to be exercised, used, or put in ure within this realm, in any spiritual or ecclesiastical matters or causes, or over any persons whatsoever, otherwise than by the Queens Majesties assent, or by vertue of her Highnes authority. And that al synods, conventicles, assemblies, and attempts for any innovation or alteration to be made within this realm, without her Majesties authority and assent, of or for any ecclesiastical laws or government, are seditious and unlawful.

That the ecclesiastical government, now received and established by her Majesties authority in the Church of England, is lawful and allowable by the word of God. And that the government chalenged, devised, or attempted to be executed by any *presbyteries* or *Church assembly*, consisting of Doctors, Pastors, Elders, and Deacons, or of any of them, or of any such like, not warranted by the

BOOK IV.

laws of this realm, is not only unlawful, but also very dangerous for the state of this realm.

Wee do likewise acknowledg, that it is seditious and ungodly, to teach or maintain that there be, or ought to be, any potentate, officers, magistrates, or any such as affirm or take upon them to be a *presbytery* or *consistory*, or any other persons, of whatsoever quality or degree, that hath or ought to have any power to excommunicate, remove, or deprive her Majesty, for any cause whatsoever; or to command her Majesties subjects to withdraw their obedience from her.

Wee acknowledge the Church of England, now established by the laws of England, to be a true member of the true *Church of Christ;* and that the sacraments ministred, as they be ordained by the law to be ministred, are godly and rightly administred, and the whole order of public prayer and ceremonies therin by law established, to be such as no man ought therfore to make any schism, division, or contention in the Church; or to withdraw himself from the same.

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Number VI.

The humble request of Tho. Cartwright, and other Puritans in prison, to the Lord Treasurer; that they might be bailed, without giving cautions and conditions. March the 1*st*, 1591.

Chap. vi. MSS. Burghlian. penes me.

KNOWING, Right Honourable, and our singular good Lord, your favourable inclination to our freedom from this long and tedious imprisonment; we were bold, in the time of your Lordships sickness, (which we have in divers respects great cause to be sory for,) by our wives, to send our petitions to his Grace of Canterbury, the copy wherof we have here enclosed. By him we were directed to Mr. Atturney General, to one, of whom we were to receive the cautions, and conditions of our deliverance: which it pleased his Grace to term by the name of our *submission*.

Which message was grievous unto us; as that which seemed to impose upon us a confession of guilt in the things we are charged with: wherof, hitherto, we are neither aknown unto our selves, nor can learn by others, whom we have earnestly entreated to tel us their knowledg in that behalf. Yet to understand the truth therof, we sent our wives to Mr. Atturney; but found him out of Town, without hope of return before the next Sabboath.

Now, therefore, we come in most humble suit unto your Lordship, that it would please you, as hithertowards, so now, in the shutting up of the matter, to stand our good Lord, that we may have bail, without further drawing upon us such conditions, as his Grace his answer giveth us cause to suspect, until such time as it shal please their Honours to cal for us. For if our liberty be tyed to such conditions as we cannot undergo, unles we would say otherwise than is truth, and burthen our own consciences before the Lord, your Lordship may easily see, in the experience of our refusal of th'othe *ex officio;* for which we have endured so long and so heavy imprisonment; that we shalbe so far from the peace, into the hope whereof we are, by your Lordships honourable means, and most comfortable answer given unto our wives, lately brought, that our bonds therby wil grow more heavy and hard than before. In such sort, that were it not for our conscience toward God, which causeth us rather to desire to be guiltless, than to have liberty, it were for us in worldly respects to be aknown unto our selves of some crime committed in this behalf; that, by a free confession, our deliverance from imprisonment might be more ready and open unto us.

If we had transgressed some of the laws of the land, wherof our consciences, set in the presence of God, do not accuse us; yet seeing it plainly appereth by our own answer upon oath, and by the depositions of witnesses, both on her Majesties and our behalf, that we had special care in our meetings, to keep our selves in obedience to the laws, our transgression therin, being of ignorance, may, in ho-

BOOK IV.

nourable equity, find the easier pardon. And altho' our transgression had been more grievous, we leave unto your Lordships honourable consideration, whether our so long and heavy imprisonment, being laid in ballance with our fault, may not seem proportionable thereunto.

There have been sithence we came to prison divers Papists, known enemies of the State, of this Church and commonwealth, delivered, without revocation of any error of theirs. And it is universally granted to any, either Papist or schismatic, that upon promise of coming unto the church, they may enjoy the same freedom that others of her Majesties subjects do. Our hope is therfore, that we
155 (which not only our selves come to church, but labour, to the utmost, both to entertain men in the fellowship of the Church, and to reduce others estranged from it) shal not be more hardly dealt with than they, by enforcing any confessions or submissions, not standing with the testimony of our consciences. But this unto your Lordship is, as in proverb, γλαῦκες εἰς Ἀθήνας. Which is able to speak more for us in this behalf, than we for our selves. Yet is there fallen out of late, which maketh us the bolder to importune your Lordship. For it hath pleased the Almighty to visit some four or five of us, by reason of our long imprisonment and lack of convenient air, wherof some are both sore and dangerously sick; neither can the rest look for better, unles by speedy deliverance we meet with the mischief through the remedy, which this time of the year especially offereth. Where, with our most thankful remembrance of your Lordships honourable favours towards us, we recommend the same, with al your weighty affairs, to the gracious direction and blessing of God in Jesus Christ.

Your Lordships most humbly to command,

Thomas Cartwright, Edward Lord, Edmund Snape,
Humfrey Fen, Melanct. Jewel, Andrew King,
Daniel Wyght, William Proudlowe.

Number VII.

Some Doctors of the University of Cambridge, to the Lord Treasurer; to be favourable to the true and peaceable preachers of the Gospel.

WHEN we consider, Right Honourable, the great and manifold blessings God hath bestowed and so long continued upon this our Church and commonwealth, under her Majesties happy government, (whereof your Honour, through your most wise counsil, and continual great care and travail, hath been a special instrument,) as we thank and bless the name of God for his singular mercies, do pray for the continuance of these happy days. And in our preachings in our several callings and places, do according to our duties move and stir up others to do the like. So, as we boldly presuming your honourable and Christian acceptation of this our humble duty, first, to congratulate to your Honour your own particular great and happy blessings, wherewith the Lord hath many ways especially honoured and adorned you above others; and namely, in stil continuing your days and life, to the good and comfort of this Church; other great personages, (as we see,) one after another, like by course of nature to have outlived, being cut off by death, your Honour, in a maner alone, amongst the antient counsellors, by Gods special providence and goodness being yet preserved. Chap. vi. MSS. Academica pen. me.

In which respect, as we hartilie thank God for you, praying for his prolonging stil of your days, so we are also humble remembrancers unto your Lordship, that God having thus reserved you for the special good of this Church and commonwealth, and now put into your hands more opportunities than before to good therunto, by removing some great impediments that beforetime might hinder your Christian and honourable intentions, for the furtherance of the Gospel, and the defence and comfort of the true professors therof; the papistical adversaries in 156
those times having grown bold and dangerous unto the State, divers of the true friends and lovers of the Gospel

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(tho' carying themselves in dutiful and peaceable sort, which we also best like) having tasted in some mesure of more hard severity than many known Papists; who, in the mean time, have been in quiet, until now of late; and then insulted against the best professors; your own time and life (tho' we hartilie wish and pray it may be long, even beyond the ordinary course of nature) being uncertain how long or how short it shalbe; while yee may have this opportunity to do good in the best causes; the Lord also having by his wonderful blessings heaped many ways upon your head, so provoked you again, to regard and honour him and his Gospel above al other things: yt would please your good Lordship (as we doubt not but you do) to think seriously and deeply of these great and weighty occasions; and to go forward, with al Christian courage and chearfulness, in the great and high station wherin the Lord, with his happy continuance, hath set you.

Our intent is not to commend unto your Lordships care any causes or persons in particular, or to move any thing in general, otherwise than may stand with the present State established, and the peace of our Jerusalem: but within this limit and compas, to stir up your sincere mind to go on, especially in Gods cause, against al impediments, (if any yet be,) assuredly waiting for his blessing in giving good success: for which we wil hartilie pray, leaving the particular occasions to do good, which are many, to your Lordships own wisdom, which doth far better know therein: and we trust, in due time, the Lord by your means wil work and produce good effects.

Wee should do your Lordship wrong, and must forget our duties, if we should write, as doubting of your ready and careful mind for the general furtherance of the course of true religion by al good means, comforting the true affected, and repressing the undermining malicious adversary; whereof there is of late fresh and worthy public testimony through the whole land, of the necessary good course against that common enemy: and that by your Honours especial means, wise care, and godly zele; for

which we with al lovers of the Gospel do hartilie prayse God for you. But hereunto, if it might please your Lordship, with like mindful care, to add the furthering, relieving, and comforting the true and peaceable professors of the Gospel, as your wisdom best knoweth how; and as several occasions now are, or hereafter shal be ministred; God therby shal have much glory, by the thanksgiving of many; your Lordships true Christian honour outwardly, and much inward peace and comfort to your heart, in your happy old age.

Wee crave pardon of your Lordship in this our boldness, that wee, rather than others, have presumed to present unto your Lordship this our poor unfeigned duty. Whereunto we were the rather emboldened, as being not only Ministers of the word, but also members of the University, where your Lordship is a most honoured head and patron: and we so tyed and bound by particular duty and love to your Honour, as we would offer nothing to your consideration otherwise than from single hearts and dutiful minds. And so trusting that your Lordship wil accordingly accept thereof, we do and shal in our prayers commend to Gods good grace and blessing both your Lordship and the issue of the cause. From Cambridge, the xxvii. of Februarv, 1591.

Your Honours humble and bounden,

Roger Goade, Edmund Barwel,
Will. Whitaker, Laur. Chaderton.

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Number VIII.

157 *Interrogatories to be administred, on the behalf of Thomas Cartwright, Humfrey Fen, Edward Lord, Edmund Snape, Andrew Kinge, Daniel Wight, William Proudlove, Melancthon Juell, and John Paine, prisoners and defendentes in the most honourable Court of Starre-chamber, to some of those which are to be examined on the behalf of her Majestie, against the defendents, or anie of them.*

Chap. vi. E Biblioth. D. Rog. Burgoyn. Eq. Aur.

IMPRIMIS, Whether do you know or understande, that these defendents, or anie of them, have used to meete in conferences and synods, classical, provincial, and national, according as such assemblies are set down in the booke mentioned against them; or otherwyse have used to meete and conferr together: and that by a free and voluntarie consent amongst themselves, as might best stande with their several business and convenient occasion?

II. *Item*, Do you know and understand, that any of these named defendents did ever in their conferences propounde and intreat of any civil matters; thadministration whereof is peculiarly apperteininge to the *civil magistrate:* namely, as touching her Majesties *supremacy;* or touching any *prerogative*, or *royalty*, perteining to the crowne?

III. *Item*, Whether do you know or understande, that it was consulted or debated of in any conference, that the *discipline* aforesaid, not finding allowance by aucthoritie of her Majestie and Parliamente, should be brought in by force, or by any other meanes then dutiful and peaceable: as praiers to Almightie God, supplications to her Majestie and Parliament, and due information of the cause?

IV. *Item*, Do you know or understande, that the defendents, or any of them, did ever allow or persuade any of the people to practise the *discipline*, without the assent of the *civil magistrate?*

V. *Item*, Whether do you know or understande of any thing done by them, whereby it might be gathered, that they had intent, that any of the thinges they agreed upon,

either in the *booke of discipline*, or otherwise, should have the nature of a lawe, and so be executed without aucthority of her Majestie and Parliamente?

VI. *Item*, Do you know or understande, that the said defendents have used to meet in conference together about any other matters then honest and godlie, and dutiful both to her Majesties state and person, and al aucthoritie that is set over them; such, as were to make supplication, both to her excellent Majestie, the whole Parliamente, the right honourable of her Councel, to the reverend assemblie of the *Convocation House*, and particularlie to the *Bishops*. Further also to advise, how to satisfie aucthoritie in the fear of God, concerning the subscription and use of the Booke of Common Prayer, required of them; to inform themselves to the truthe touching the *controversies* of this time, and other furtherances in good learning, with such lyke?

VII. *Item*, Do you know or understand, that the said defendents, or any them, did ever elect or ordeine, and confirme any Minister of the word, Church-elder, or Deacon; or that they erected or practised the aucthoritie of any eldershippe; or censured any by suspension or excommunication; or punished any by civil punishment whatsoever; or that there were any appeales from a smaller to a greater conference, eyther made or received?

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VIII. *Item*, Whether do you know, that there was any consultation of using publicklie within this land any fourme of *publicke praier*, other then that which is stablished by lawe, before the same should have allowance from aucthoritie of her Majestie and Parliamente aforesaid?

IX. *Item*, Whether do you know and understande, that they publicklie practised any such?

X. *Item*, Whether do you know and understande, that theie have practised any order in preachinge, contrary to the lawes of the land?

XI. *Item*, Whether do you know and understande, that th'order of not receiving any to the Communion, without

BOOK IV.

submitting themselves to the fourme of discipline, mentioned in the book, was agreed to be practized, before the establishment of it, by aucthoritie of her Majestie and Parliamente aforesaid?

XII. *Item*, Do you know and understand, that th'order mentioned in the booke of discipline, touching the not having conference with any which had not subscribed, was ever executed, or agreed to be executed, without aucthoritie of her Majestie and Parliamente aforesaid?

XIII. *Item*, Whether have you, or any other to your knowledge, bin persuaded by any of the defendents to forsake your callinge in the Church, according to the lawe established; to refuse to appeare at the *courts ecclesiastical*; and, contrarie to the inhibition given from aucthoritie, to execute the ministerie?

XIV. *Item*, Have you knowen or understood, that any of the defendents have, in their conferences or otherwise, allowed or favoured the schismatiques, commonlie called *Brownists*, or *Barrowists*: or have you not understood, that they have advised how they might recover such as had bin drawen away by them from the *unitie* and *communion* of the *Church*, and to staie in it such as sought to be seduced from it?

XV. *Item*, Have you knowen or understoode, that these defendents were in a conference at Cambridge, an. 87. And that there was concluded and ordeined, *homilies* should not be read in the Church; and that the aucthoritie and calling of Bishops is unlawful; and that there ought to be no superioritie in Church governmente, and such other matters as in thinformation against them is declared?

XVI. *Item*, Whether have you knowen or understood, that the defendents, or some of them, have bin so far from makinge any separation from the Church, or defacing and depraving of aucthoritie, or matters established, as that they have disallowed and condemned thimmodeste and slanderous writing of Martin?

XVII. *Item*, Whether have you knowen or understood, that these defendents in conference at Warwick, an. 88. ap-

proved and allowed of the foresaid articles, supposed to have bin agreed on at Cambridge?

Item, Have you knowen or understood, that theie advised, that the discipline in question should not be taught, but upon just occasion of the places of Scripture, to be expounded, and the same not sought for, but offered by the Ordinarie, and continued text to be handled: and then also with al sobrietie and modestie; and without anie immodeste and unseemlie speeches, tending to disgrace any order established?

Number IX. 159

The answer of Henry Alvey, Thomas Edmunds, William Perkins, Edmund Littleton, John Johnson, Tho. Stone, Tho. Barbar, Hercules Cleavely, and Anthonie Nutter; deposed on her Majesty's behalf. Of which Mr. Alvey, being the first, as one never present with any of the defendents, and others in the conferences now in question, cannot depose.

1. BEING examined, Whether any of the defendents hath maintained, that there should be in every Christian kingdom some which should have authoritie (in some causes) to depose the prince? They say, they can depose no such thing. Chap. vi. MSS. ecclesiastic. pen. me.

2. Being examined, Whether any of the defendents maintaineth, that the Prince is none of the Church governours, and hath no authoritie to ordeine ceremonies? They say, they can depose no such thing of the defendents.

In a part of this interrogatorie, Whether the use of the Queens style have been called in question in any meeting of the defendents? They say, they can depose no such thing.

3. Being examined, Whether any of the defendents do maintein, that the Ministers which mislike the desired *disciplin* are not brethren, so properly and in that sense,

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wherein they hold those which affect the same? Eight of the deponents say, they know no such thing. But John Johnson saith, That the *classis* in Northampton, wherein he nameth Mr. Snape, held, that the word *brother* did properly appertain to the Minister and people of their *faction*, which desired that *disciplin:* and that the ordination of L. BB. was but civil, and to be used for safe standing; not accounting themselves Ministers thereby, until the *brethren* of the *classis* have allowed them.

4. Being examined, Whether any of the defendents did maintain, that the churches which mislike the desired disciplin, and submit themselves to the present government, are Churches so fully as those which submit themselves to the foresaid disciplin? Seven of the deponents aunswer, they know no such thing by any of the defendents.

Tho. Edmunds saith, That Mr. Lord, a year past, used reasons tending to the confirmation of so much in effect.

John Johnson saith, That the foresaid *classis* in Northampton held, that the Churches established by law are not Churches, so properly as those that allow the *disciplin* in question.

5. Being examined, Whether the defendents have treated, that if the Magistrate, after petition made for the establishment of the disciplin in question, shal stil reject it, that then the Ministers may allure the people to put it in practize, as they may, and use other means for thestablishment therof? Eight of the deponents answer, that they know no such thing by the defendents.

John Johnson saith, The *classis* of Northampton concluded, that the brethren should privately practise the *disciplin*, and by preaching and persuasions should draw others thereto; seeing the same required of her Majesty could not be established. And that for an *interim*, til the treatise of *disciplin* came forth, they decreed certain orders, which Mr. Snape kept in a register book.

6. Being examined, Whether the defendents have affirmed, that it is lawful for the Queens subjects, by a

voluntary submission, without her Majesties assent, to embrace and practise the *discipline?* They al answer, they know no such thing by any of the defendents.

7. Being examined, What meetings of Ministers have at any time been called, *classes*, conferences, assemblies, or synods, for ordering, debating, and concluding how the *disciplin* might be advaunced and practised? who called them? and by what means was notice given? 160

Edmund Littleton saith, That anno 88. and 89. Mr. Snape, Mr. Proudlowe, Mr. Stone, and others, met in conference at Northampton, in the house of Mr. Snape and Johnson, at divers times, about th'advauncement and practise of the *disciplin* in question; which meeting was called *classis*. Wherein they used to agree of the time of their next meeting, without any other calling. And he heard Mr. Fen, Mr. Lord, and Mr. Wight met together in conference at Mr. Fenns, [anno] 88. But whereabouts he knoweth not.

John Johnson saith, That about three years past, the Ministers of Northampton divided themselves into three *classes*. Wherein Mr. Snape was of one: Mr. King and Mr. Proudlowe of another: and Mr. Stone of the third; with others. Which three *classes* agreed to observe the foresaid decrees, til the *treatise of disciplin* came forth.

Thomas Stone saith, That Mr. Cartwright, with others, met a little before his committing, in conference, at Mr. Gardners house: where they considered about a petition to her Majesty, for the restoring of the persons in prison, concerning the cause of that *disciplin:* and whether it were convenient for Mr. Cartwright to revele what matters had passed in former meetings. He saith also, That Mr. Cartwright, with others, at divers other times, since the last Parlament, met in conference about tryal of the *treatise of disciplin;* and about three petitions to her Majesty, the Council, and BB. for disputation; or that by her authority the said *disciplin* might be established. He confesseth a meeting of Mr. Cartwright, Mr. Snape, and others at Cambridg, about one or two years past; where the *trea-*

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tise of disciplin was perfited, and a voluntary subscription thereto agreed on: and that at Northampton, at sundry times, Mr. Snape, Mr. King, Mr. Proudlowe, Mr. Johnson, Mr. Littleton, and others, met together in conference in Mr. Johnsons house; and about subscription to the *treatise of discipline:* and that by lawful and peaceable means, with her Majesties authority, it might be advaunced. They did there also consider of the three petitions aforesaid. Lastly, he saith, that these Ministers met together by letter, or message, without other calling.

Thomas Barbar saith, That about three or four years past, Mr. Cartwright, Mr. Snape, with others, met in conference at Cambridg, about the *disciplin* in question; correcting divers things therein; that so by her Majesties authority it might be established: also, about a method in preaching; and whether unpreaching Ministers be Ministers, or not; and the sacraments be to be received from them. Which questions were not concluded at al. Also, about four years past, the same defendents, with others, met in conference in London: and were of opinion, that Homilies and Apocrypha were not to be read in the church: that there ought to be no superiority in Church government: that the calling and jurisdiction of L. BB. were unlawful: that the *disciplin* was to be taught modestly upon every good occasion of the text, as a part of the Gospel. But they concluded not these, but only shewed their private opinions. Also, they debated, whether the *subscription* to the BB. articles were unlawful, and the *treatise of discipline* be agreeable to Gods word? And by what means the schism of Papists and Brownists might be stayed: and of supplication to her Majesty, the Council, and BB. for ease of the grievances upon the Ministers, by suspension, deprivation, and imprisonment for ceremonies. Also, he saith, they met by letter, message, or chaunce, without further calling. Also, he heard, that the like meetings were at Oxford and Warwicke, about three or four years past; but nameth neither matter, nor any defendent.

Hercules Cleavely saith, about 87. or 88. Mr. Cartwright,

Mr. Fen, with others, met in conference at Warwicke and Coventrie by a voluntarie consent: and conferred about the *treatise of discipline;* how it might be established by authority.

Anthony Nutter saith, That Mr. Cartwright, Fen, Lord, 161
Wight, with others, four or five years past, met in conference at Warwicke and Coventrie divers times, about the *discipline*, and other things, for their furtherance in the ministerie. Which meetings were voluntarie, by letters or word sent, without other call.

8. Being examined, What meetings and conferences the defendents have had about the *disciplin*, or any other ecclesiastical matters, or against the government established;

William Perkins saith, That Mr. Cartwright and Mr. Snape, with others not named, met in conference in Cambridg, at St. Johns, two years past, about the *disciplin* in question. Edmund Littleton, as in the seventh interrogatory.

John Johnson saith, That the three foresaid *classes*, sending two men from each of them, made another meeting, which they termed an *assembly*, kept usually every six weeks; sometimes in Mr. Snapes house. Mr. Snape and Mr. King were of this assembly. In which assembly, *the treatise of disciplin* was not handled, but other things generally concerning the Church: as, writing of letters, commonly committed to Mr. Snape. In this assembly, they concluded to make a survey of the Ministers of that shire: and that every *classis* should send one or two to the Parlament, which, joyning with others, should offer disputation, or undertake any other matter which should be determined. Three years past, *the treatise of disciplin* came forth, with purpose, as he thinketh, to be established.

Hercules Cleavely saith, About the same time, in Warwicke, at one of the foresaid meetings, certain questions were handled: as, of private administration of sacraments, especially by women; of reading *Apocrypha;* for conference of *doctrin;* manifest depravation of *Scripture;* the cross in *Baptism;* the hierarchy of the *Church*. All which

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were concluded, for judgment only, to be unlawful. Also, it was advised, for the restoring of the *disciplin* in question, by her Majesties consent and authority. Lastly, they conferred only, whether that sacraments were to be received of unpreaching Ministers.

Anthony Nutter saith, That they used to expound the First Epistle to the Corinthians; handled questions between the Papists and us; and perused the Book of Common Prayer, to satisfy themselves how far it is to be yielded unto for their ministeries sake: also, by what godly means authority might be moved, to establish the *disciplin* in question: also, how Brownism might be stayed. Which meetings were begun and ended with prayer for Gods direction, for her Majesty, and the authority under her. They did also approve the *disciplin* in question.

9. Being examined, What articles were agreed to and subscribed by the defendents, in approbation and use of the *treatise of disciplin?*

Edmund Littleton saith, There were certain articles for approbation and use of the foresaid *treatise of disciplin;* but knoweth not who subscribed; only he thinketh, that Mr. Fen, Mr. Lord, Mr. Wight, with others, did. And likewise, that the *classis* in Northampton, in two meetings, consented unto and concluded upon the said treatise and articles: the tenor whereof he setteth down. The practise whereof, Mr. Snape, Mr. Proudlowe, with others, did promise, so far as the present state of the Church would suffer; that is, till the magistrates enforced them to leave.

John Johnson saith, He can depose nothing touching the *treatise of disciplin;* but saith, that the *classis* of Northampton aforesaid, by a subscription, bound themselves to be ordered and censured by the *classis* in matters of doctrin and disciplin; and that such as were employed about the Church affairs, should have their charges of the rest of the *classis*.

Hercules Cleavely saith, There were certain articles in approbation of the disciplin, for judgment only: which Mr. Cartwright, Fen, and Wight, subscribed. Who also pro-

mised such observation of that *treatise of disciplin*, as set down in the said articles, are by him repeated.

Anthony Nutter saith, They agreed and subscribed certain articles in approbation of the disciplin, and promised to observe the same, as is set down in the articles.

22. Being examined, How far, without the breach of the peace of the Church of England, governed under her Majesty by Archbishops, &c. any of the defendents have maintained, or treated, that Ministers, or other subjects, voluntarily assembled, without calling from her Majesty, may entreat of any laws to be altered within her Highnes realmes; and to put some of their own orders in practise? They al answer, they know no such thing treated of by any of the defendents. 162

23. Being examined, What points of the *book of disciplin*, or of the Communion book, or other ecclesiastical orders and ceremonies established, have been debated of, and thought to be such as ought, in like maner, be put in practise, permitted, or altered, without the breach of the said peace?

Thomas Stone saith, That in some of the meetings, by him remembred, they were of opinion, that there were imperfections in the Book of Common Prayer, to be altered by authority. The rest of the interrogatories he denyeth.

Anthony Nutter saith, They treated of certain points in the *treatise of disciplin*, and in the Book of Common Prayer; but remembreth not what.

10. Being examined, Whether the defendents have promised in that subscription to follow the order of the *book of disciplin*, when they preach, as is set down in the chapitre of *preaching* and *sacraments?*

Edmund Littleton saith, as to the ninth.

Thomas Barbar saith, Some of the defendents, he knoweth not which, promised to follow the order of the *book of disciplin*, in preaching and prayer.

Hercules Cleavely saith, as to the ninth.

Anthony Nutter saith, Their promise, as before, was in the order of preaching and meeting.

Being examined, Whether the defendents, when they preached or ministred sacraments, did follow the order of the book in the chapitre *De ratione Liturgiæ*, or the form used in Geneva, or elsewhere?

Anthony Nutter saith, He taketh there is no prescript form of prayer in that treatise, but certain heads; which they followed, or not, as they thought good.

11. Being examined, Whether in time of assembly of the defendents, there was a *moderator;* and how chosen; and what was his office?

William Perkins saith, That in the foresaid meeting there was a *moderator*, who propounded the questions, and noted the opinions and reasons; but nameth him not, being not of the defendents.

Edmund Littleton saith, That Mr. Snape was chosen *moderator* in one assembly by most voices; whose duty was to propound the questions, and register the things handled.

John Johnson saith, That in the foresaid meeting, after prayer, a *moderator* was chosen by scrutinie. This *moderator* used to cal the meetings, as occasion required, and ruled the same. But the *moderator* of the *assembly* ruled the three *classes* til the next assembly; which was within six or eight weeks. At the breaking up of the *classis* meeting, they appointed a time for the next, commonly two or three weeks after. The *classis* of Northampton decreed, that in controversies among them, they should yield to the determination of that *classis*.

Thomas Stone saith, That Mr. Cartwright, in the meeting in London, Mr. Snape and Mr. King, at the meeting in Northampton, and others, have been chosen *moderators* by voice: whose office was to propound the matters to be handled; to require the opinions of the present; and to collect briefly what was agreed upon.

Thomas Barbar saith the same, touching the *moderators* office.

Anthony Nutter saith, That some of the defendents were chosen *moderators* by voice, and ordered the action, pro-

pounded matters, received and declared the opinions of the greater part.

12. Being examined, Which of them came, sent from their conferences with *fiduciary letters* and *mandata;* they have not therein to say: only Thomas Barbar indefinitely 163
saith, some of the defendents had such letters.

14. Being examined, Whether the matters of the Church of such assembly, as of a *classis* in a classical, and of the *province* in a provincial, bene so handled? They al say, they know of no such thing.

15. Being examined, What appeals have been made from a less to a greater assembly? They al say, they know of no such thing.

16. Being examined, What Church hath called a *provincial* or *general assembly:* and whether the orders therein have been registred, and by whom?

Thomas Stone saith, The *moderator* gathered the matter into a book, or loose paper: the rest can say no such thing.

17. Being examined, What censures of the *treatise of disciplin* have been executed? They al say, None. Yet Mr. Stone saith, he knoweth nothing hereof, onely of a voluntary admonition to Mr. Johnson. But John Johnson saith, they practised no censures of the *treatise of disciplin;* but had a secret kind of excommunication for an *interim, viz.* an Elder should admonish the offender: then if he heard not, the Elder should take two other with him: whom, if he heard not, the Minister should hold him from the Communion, by warrant of the Common Prayer Book. Which censure Mr. Snape executed upon a servant of one of the Elders or Deacons of S. Peters.

18. Being examined, Whether any were examined, elected, or ordeined by order of that book? They al say, No. But John Johnson, by hear-say, saith, that Mr. Proudlowe renounced his calling had from the BB. and took another from the *classis;* as also one Mr. Lark did.

19. Being examined, Whether any part of the eldership was put in ure? They al say, No.

BOOK IV.

24. Being examined, At how many meetings, proposed to be *provincial* or general, any of the defendents have ben? They can say nothing.

25. Being examined, Whether any of the particulars, *viz.* that the ministry of such in the Church as are not preachers, is no ministry; that sacraments ought not to be received at their hands; that no obedience ought to be given to Archbishops, BB. or other ecclesiastical officers now in this Church, if they commaund any thing against the disciplin, or otherwise, as they are Archbishops, BB. or taken for Ministers ecclesiastical in the Church; that al the calling and ordeining to the ministry by either Archbishops or BB. as it is now in practice in this Church of England, is but in very deed a civil ordinance, and so to be taken of the godly brethren; none otherwise, but for their safe standing; and not for any lawful ordination into the ministry; that in prayers and sermons, the Queens whole style, as it is given her by law, ought not, should not, or need not be used, or any other like, were treated of in any *classical*, *provincial*, or *general assembly*, by the defendents?

Anthony Nutter saith, That divers of the particulars in the *interim* were treated of; but remembreth not which, nor that they were concluded of. Her Majesties style, he saith, was never in question among them.

Edmund Littleton, as to the seventh and ninth. And further, that in the two foresaid meetings it was concluded, that unpreaching Ministers were unlawful; and the sacraments not to be received of them, if they could not be had of preachers; and that they would practise the disciplin, til the magistrate enforced the contrary.

13. Being examined, Whether any other have usually given voices in these assemblies, or any of them, but such as brought the said letters, and had first subscribed to the disciplin?

Edmund Littleton saith, That none gave voice but such as had subscribed.

John Johnson can say nothing to this interrogatory, but

that none gave voice in their meetings, but such as subscribed to their decrees aforesaid.

Tho. Stone saith, Many gave voice which never subscribed; and he knew of no letters *fiduciary*.

Hercules Cleavely saith, Divers gave voice in the conference which had not subscribed.

Anthony Nutter saith, Voice was given by some that had not subscribed. 164

26, 27. Being examined of this assembly at Cambridge, and of the particulars, said there to be concluded;

Tho. Stone saith, In some assemblies, the superiority of BB. was disallowed.

Hercules Cleavely saith, At Warwicke it was agreed, that the disciplin, upon just occasion of the text, was modestly to be taught. The rest can say nothing hereunto more than before.

28, 29. Being examined of this meeting at Warwick, and the particulars;

Hercules Cleavely referreth to that he hath deposed before 7, 8, 27.

39. Being examined, Whether since the first day of November, in the 30th year of her Majesties reign, either by writing, printing, or teaching, have any of the defendents, and which of them, taught, approved, or set forth the said manner of ecclesiastical government, set forth in the said *book of disciplin*, or any part therof?

Anthony Nutter saith, He heard Mr. Fen, upon occasion of the text, modestly approve the said disciplin.

31. Being examined, Whether, since the first day of November, have any of the defendents, to your knowledg, or as you have heard by any means, spoken or opposed themselves against the ecclesiastical government, form of common prayer, and maner of administration of sacraments, rites, and ceremonies, or of any of them, exercised in this realm by her Majesties authority; when, where, and in what points was the same don, and by whom?

Edmund Littleton saith, That Mr. Snape, since the first of November, the 30th of her Majesty, affirmed unpreaching

BOOK IV.

Ministers and non-residents to be against the word of God.

Anthony Nutter saith, Some of the defendents, he knoweth not which, have spoken against the ecclesiastical government established.

32. Being examined, Whether, sithence the first day of November, have any of the defendents, to your knowledg, or as you have heard, moved or persuaded any person to embrace or allow of their procedings, and to submit themselves to the said form of disciplin ecclesiastical, comprized in the foresaid *book of disciplin*, or any part therof; when, where, to whom; by whom hath the same been don, as you know or have heard? They al say, They know no such thing.

33. Being examined, Whether, to your knowledg, or as you have heard, have any of the defendents persuaded or moved any not to take oath before the Commissioners ecclesiastical, or any other magistrate or officer, in some particular cases? And what particular cases are they, wherin they hold themselves or others not bound to take oath before the said Commissioners, or any others? By whom and to whom have such motions and persuasions been used?

John Johnson saith, It was the opinion of the foresaid *classis* and *assembly*, not to take an oath before the High Commissioners, to accuse themselves, nor otherwise, as witnesses to accuse others.

Tho. Stone saith, Upon this deponents motion, Mr. Snape sent him the reasons of the oath; but doth not charge him with dissuading.

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Number X.

The answer of Thomas Stone, Thomas Barbar, Anthony Nutter, and Hercules Cleavely; deposed on the behalf of the defendents.

Chap. vi. MSS. ecclesiastic. penes me.

14. BEING examined, they say, That none of the defendents, to their knowledg, have allowed or favoured the

schism of Brown or Barrow: but contrariwise, have advised to recover such as have been withdrawn, and to stay such as were sought to be seduced.

3. Being examined, They deny that the defendents ever consulted to bring in the discipline, being refused of the magistrate, by force; or any other means, than dutiful and peaceable: as, prayer to God, supplication to her Majesty and Parlament, and due information of the cause.

1. Being examined of the meaning of the defendents meeting, they say, It was by a free voluntary consent among themselves, as might best stand with their several busines and convenient occasion.

5. Being examined, Whether any thing were don by the defendents in their meeting, by the which it might be gathered that they had an intent, that the things agreed upon in the *book of discipline*, or otherwise, should have the nature of a law; and so be executed without authority of her Majesty and the Parlament? They say, they know no such thing don by them, wherby any such intent might be gathered.

Being examined, they say, The defendents in this meeting, [*viz.* the last of September, the 28th of the Queen,] conferred of no other things, than honest, godly, and dutiful to her Majesties state, and person, and authority, set over them: as, to make supplication to her Majesty, the Parlament, the Council, the Convocation, the BB. and to advise how to satisfy authority in the fear of God, concerning subscription and the use of the Book of Common Prayer, required of them, and to inform themselves of the controversies of the times, and other furtherances in good learning, and such like.

10. Being examined, they say, They know not of any order practized by the defendents, in preaching contrary to the law.

8. Being examined, they deny, That the defendents did consult to use publickly any form of publick prayer, other than that which is established by law, before the same should be allowed of her Majesty and the Parlament.

BOOK IV.

9. Neither do they know, that any of them did ever practize any such.

11. Being examined, they deny, That this order of communicants subscribing to the disciplin, was agreed upon to be practized before the establishment of it by her Majesty and the Parlament.

12. Being examined, Whether the defendents used to meet in conferences, synods, classical, provincial, and national, according to the order set down in the book, noted in the information? They say, No: but that the meetings were free, by a voluntary consent, as their busines and occasion suffered.

7. Being examined, they deny, That the defendents did ever elect, ordein, or confirm any Minister, Elder, or Deacon; or did practize authority of the eldership; or censured any by suspension, excommunication, or civil punishment whatsoever; or made or received any appeals from lesser to greater assemblies.

13. Being examined, they deny to know, That any defendent did ever persuade any to forsake their calling, received in the Church, according to the law; or to appear at the ecclesiastical courts, or contrary to inhibition given from authority, to execute the ministerie.

166 2. Being examined, they deny, That the defendents in their conferences did treat of any civil matter, the administration wherof properly apperteined to the civil magistrate, as namely, of her Majesties supremacy, or any prerogative royal perteining to the crown.

16. Being examined of this meeting, they can say no more than in their depositions for the Queen.

18. Being examined, they say, All being deposed for the Queen, that it was advised, that the *disciplin* should not be taught, but, upon just occasion of the text, soberly and modestly, without unseemly speeches tending to the disgrace of any order established.

Anthony Nutter, Hercules Cleavely, Tho. Stone.

17. Being examined of this meeting, they cannot depose more than in their answer for the Queen.

15. Being examined, they say, That the defendents were so far from making separation, and defacing authority, and the matters established, that they have disallowed the immodest and scandalous writings of Martin.

4. Being examined, they say, That none of the defendents, to their knowledg, have allured or persuaded any of the people to practize the disciplin without the civil magistrates assent.

Number XI.

Eusebius Pagit, Preacher, to the Lord Admiral: for favour, who, being an enemy to schism, was, notwithstanding, turned out of his living, and also forbidden to teach school.

Right Honourable,

MY duty remembred most humbly, I understand by Sir John Hawkins, that your Honour had some speech with him of this departure and schisme from the Church of England; and then particularly of my judgment of the same; in a word, in my former letters to your Honour I writ, and that truly, that I never gathered, nor was present in private conventicle, or unlawful assembly. I hate, abhorr, and loath the heresies and errors that are raised, and the division and schism which is made in the Church of England; which I acknowledg to be the Church of God. I resort to the same; am present at service, preaching, and am partaker of the sacraments, according to the Book: and it is but my duty. Now further, this my behaviour and practice of my life hath raised many and divers assaults: as on the one side, by bitter complaints and sharp accusations, I have had the magistrates, yea, her most excellent Majesty, incensed against me, to my great grief; her letters and commandements procured against me, to my utter undoing, if God had not mixed her displesure with mildnes and mercy. On the other side, for this twenty years, the schismaticks, which divide themselves from the Church of England, have watched their time, have taken opportunity,

Chap. vii. MSS. ecclesiastic.

BOOK IV.

and laboured me to joyn with them. But through Gods assistance I have always withstood them: refusing their suit; refuting their opinions and course: which hath no warrant, either of precept or example, in the Scriptures: stayed divers from them, and drawn many of themselves from these fancies, and brought them to the Church again. Yea, within this six monthes, they have made me much work: as, by reading, by writing, by conference, partly with themselves, partly with divers learned men, to gather their judgments against them. Lastly, Some letters full of bitternes, I have received from them.

167 The rock and stay, whereupon I ground and rest my self in these stormes, from following every blast of doctrin, is the *holy Scripture:* where I have many places to stay my conscience. And agreeing with me, I have sundry learned men, in their writings: as, Augustin against the Donatists; against Parmenian; against Petilian; against Cresconius and Gaudentius. Calvin. lib. 4. c. 1. sect. 2. of his Institutions, and in many other places. Danæus upon Timothy. Beza, in his Epistles. The Harmony of the Confession of the Churches.

I learn not to forsake a Church which hath some blemishes in it; no more than I would forsake the corn of Christ for the tares; nor the flower for the chaff; nor the net for the evil fish in it; nor the house of Christ, so ful of honour, for some vessels of dishonour belonging unto it. Yea, if a Minister of bad life unadvisedly shal utter some error in doctrin, not being of the substance of salvation, I learn by our Saviours precept, commandment, and example, to hear him: but the doctrin established in the Church is sound, agreeing with Gods word. The Church of Corinth, having wants in doctrin, sacraments, and disciplin, is called by S. Paul, the Church of God. And he persuadeth no man to separate himself from it. If wicked men minister the Sacrament, or intrude themselves to receive among the godly; the good Christian, for their sakes, ought not to refuse and depart. Shal Jehoshua forsake the Lord, because Satan stands on his right hand? Neither are they

partakers of the sins of the other. The private man is taught to examine himself, (not others,) and so not to depart, but to eat. The wicked man eateth and drinketh damnation, (not to others, but) to himself.

Nay, I have offered to defend against them, that a congregation wanting the blessed sacraments and disciplin, but allowing the word truly preached, (which is the life and soul of the Church,) is yet the Church of God. And we cal him a man, who hath a reasonable soul, tho' he wanteth both his armes. So say I of the Church, because Christ saith, *My sheep hear my voice:* and he that separateth himself from this, should divide himself from the fold, from the sheep, yea, and from the body of Jesus Christ. Upon this authority, by these and such reasons, hath God, of his fatherly mercy, stayed me from this schism, and the errors which do at this day trouble the Church; and hath led me in the way of peace, to pray for the continuance of the peace of the same, and for al them which love it.

But, my good Lord, while I love peace, pray for it, and seek to live in it; others, as the Prophet saith, prepare themselves to war, and making me their butt, do shoot at me ful eagerly. I am turned out of living upon commandment; yet I complain not. My ministry being left free, I preached without living, or any peny stipend or allowance; my doctrin not found fault with. I was advised to stay: I ceased. I taught a few children, that I might get a little bread for me and mine to eat; that we might not starve, as Tantalus, in the midst of the plentiful abundance of this land. Some misliked this, and wished me to stay. I obey, and forbear. Yet having children of mine own, and some orphans committed to me, I do for the teaching of these hire such as are licenced to teach through the whole province. This also is grudged at by some; as men loathing that I have leisure allowed to swallow mine own spittle.

I beseech your Lordship to continue your lawful favour to me, that I be not turned out of house and calling, to go,

BOOK IV.

as an idle rogue and vagabond, from door to door, to beg my bread, while I am able in a lawful calling to get it: and to be a means for her Majesties favourable liking, I may be suffered or assigned in some place and calling, to live as becometh a peaceable subject. Thus I beseech the Lord God to bless and prosper your Honour for ever. June the 3, 1591.

Your Lordship most bounden
lame, Eusebius Pagitt.

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Number XII.

The Archbishop of Canterbury to the Bishops of this province; for the better observance of catechising and confirming of youth.

Chap. vii. Regist. Whitg.

AFTER my very harty commendations. Your Lordship is not ignorant that a great part of the dissoluteness in maners, and ignorance in the common sort, that reigneth in most parts of this realm, even in this clear light of the Gospel otherwise, ariseth hereof: for that the youth being, as it were, the frie and seminarie of the Church and commonwealth, through negligence both of natural and spiritual fathers, are not, as were meet, trained up in the chief and necessary principles of Christian religion: whereby they might learn their duty to God, to their Prince, their country, and their neighbours: especially in their tender years, when these things might best be planted in them; and would become most hardly to be afterwards removed.

This mischief might wel, in mine opinion, be redressed, if that, which in this behalf hath been wisely and godly provided, were so carefully called on and executed; namely, by catechizing and instructing in churches the youth of both sexes, on the Sabbath dayes in the afternoon. And that (if it may be conveniently) before their parents and others of the several parishes. Who thereby may take comfort and instruction also.

One great inducement unto the learning of the rudiments of religion, hath heretofore been observed to be that charge, which, by the Book of Common Prayer, every Minister should give, after baptizing the infants; to have them, so soon as they may learn, instructed in the Catechism: and having learnt it, to be brought to the Bishop to be confirmed. Which giving charge, I do hear, is for the most part omitted. This auncient and laudable ceremony of confirming children, in respect of a carefulnes in fathers to have their children instructed, that after they might be confirmed, hath heretofore wrought much good where it was used. I am very sory to hear that my brethren, the Bishops of my province of Canterbury, do so generally begin to neglect to confirm children: at least, to cal for and exact both the use of it, and of the catechizing children in the church by the Minister; and of parents to send their children, and to come thither themselves. These wants are now grown so common and offensive by the ill effects which they are found to yield, that I am in conscience urged very earnestly, and in the fear of God, to require your Lordship, and other my brethren, the Bishops, according to your paternal care, and for the duty which you owe to God and his Church, both in your own visitations from time to time, and by your Archdeacons, and other ecclesiastical officers, to give strait charge unto parents, to come themselves, or at least to send their children to the church at such times; and especially unto Ministers, to expound unto them, and to examine the child in that little Catechism which is allowed by authority. And also at the baptizing of infants, to give the charge for bringing them unto the Bishop to be confirmed: which by the Book of Common Prayer is prescribed.

I do also hereby require at your Lordships hands, to give warning unto the Ministers of your dioces, that they cause such children of their parish onely, that can say the Catechism, to be brought from time to time unto your Lordship to be confirmed; not onely when you visit *triennially*, but also at other fit opportunities for such a pur-

BOOK IV.

pose. As namely, when you travail abroad in your dioces to preach, and on market days, when you reside, and make your abode in any market town: whither the people of pa-
169 rishes thereabout do usually resort. Thus nothing doubting of your Lordships forwardnes and care herein, I commend you to Gods holy protection. From Croydon, the of Sept. 1591.

Your Lordships loving friend and brother,

Jo. Cant.

Number XIII.

Monsieur Castoll, Minister of the French Church, London, to the Lord Treasurer; shewing the poverty of that congregation; unable to bear any charge for France.

Chap. vii. MSS. Whitg.

AMPLISSIME et honoratissime Vir: Dominus Archiepiscopus Cantuariensis, rei illius, de qua compellatum me tua Dignitas voluit, cognitionem anticipavit, nihilominus operæ pretium facturum me existimavi, si mandatis tuis, quæ Dom. Burd heri demùm exposuit, sine mora obtemperarem. Audio graves occupationes quibus rex Galliæ distinetur, duram et asperam militiam, qua pro Dei Ecclesia fungitur, animum tuum maximè solicitum habere, Satana quicquid potest negotii subinde illi facessente, et omnia propemodum regna ad eum disturbandum concitante. Audio te de nostro officio cogitare, quippe quòd in societatem suppetiarum cum aliis ordinibus venire nos consentaneum sit, ut operis, quod Deus nuper in illo regno inchoavit, structura, aliquatenus ex nostris facultatibus crescat. Quapropter in hoc negotio eadem prorsus Amplitudini tuæ, quæ Præsuli illi, non tam excusandi nostri quàm status Ecclesiæ Londino-Gallicæ aperiens causa, fretus benignitate tua, recensenda, censeo. Illa quidem constat ex peregrinis, bonis suis exutis, et patrio solo ejectis.

Pars una, eaque minima, Galli sunt. Plures sanè olim in hunc portum benignissimè à gente vestra exceptos, non diffitemur; verùm qui melioris sortis fuerunt non ita pridem reversos, tuendis adversus hostium immanitatem pro-

priis sedibus operam omnem navare, minimè dubitamus. Abjectæ autem conditionis homines et militaris ætatis bonorum liberalitate adjuti, relictis curæ nostræ uxoribus et liberis, regis castra sequuntur. Qui verò hic supersunt, perpetuis calamitatibus exhausti et ob continuas belli tempestates sæpius naufragium passi, ægrè admodum vitam tolerant. Altera pars, eaque maxima, sunt Hannovii, Artesii, Flandri, Gallicani, id est, è regionibus quæ Hispano parent oriundi, non minus egeni et inopes, paucis aliquot exceptis, quàm reliqui. A Deo Optimo Max. concessum illis est, ut certis quibusdam opificiis excellant: nihilominus quandoquidem illa pene sepulta jacent, commeatu omni propter temporum injuriam sublato, et commercio cum aliis nationibus extincto, mirum ac vix credibile, quantas miserias altum nimis mercatorum silentium, et valde importuna cessatio, secum trahat. Nec immeritò illud mortalium genus cum cruribus humani corporis comparatur, quibus luxatis aut fractis, istam carnis molem tabe et inedia paulatim confici necesse est. Unum è multis publicæ egestatis argumentum dabo. Tantum abest, ut eleemosynæ, quæ et pro more institutoque, et extra ordinem conferuntur, sustentandæ pauperum nostrorum turbæ sufficiant, quin abhinc decem aut duodecim menses ingens æs alienum conflavimus, ne quis ostiatim ad dedecus et opprobrium Ecclesiæ, stipem mendicare cogeretur; neque video, quo modo nexu isto quo vincti sunt plerique nostrum se oxolvere possint, nisi Dominus, admirabili aliqua ratione, eaque nobis incognita, è cælis manum suam exerat.

Cæterùm quum ex serenissimæ regiæ Majestatis et sacratissimi illius consilii authoritate atque imperio, belli subsidium aliquod plebeculæ nostræ irrogaremus, præterquam quòd omnes penè hujus regni jure donati et cives asciti sunt, præterquam quòd ministerio nostro invidiam ac odium ejusmodi pecuniarum exactio conciliaret, in Dignitatis tuæ sinu liberè expromere non erubescam, quæ inviti audiremus. Aliqui præter egestatem domesticam, infinitos prorsus sumptus, quos Montespessulanæ, Nordwicensi, Antwerpiensi,

BOOK IV.

Ostendanæ, Wesaliensi, Genevensi aliisque Ecclesiis sublevandis, hos viginti annos sustinuerunt, prætexent. Non-
170 nulli symbolas suas, quas in parochiarum suarum et urbis necessitates erogant, causabuntur unà cum tributis et vectigalibus, duplò majoribus quàm quæ Anglis imperantur: omnes denique sibi muneris istius immunitatem dari flagitabunt; neque ab iis qui sub onere fatiscunt nos aliquid extorsuros confidimus. Ista sunt, amplissime Domine, quæ mihi de nostro cœtu nimis et magno cum dolore meo, comperta sunt, et de quibus Dignitatem tuam, ad vitandam omnem offensionem certiorem factam velim. Ut finem dicendi faciam, magni beneficii loco repono, quòd tantum et tam præstantem monitorem habemus, qui nos ad Christianæ charitatis obsequium provocare dignetur, sed quoniam summa est tenuitas, et opes non suppetunt, æquitatem ac moderationem tuam è nostro nomine omnem sordium et tenacitatis labem abstersuram spero. Vale honoratissime Vir, Deus te, superstite augustissima Regina, diu incolumem conservet, et omni benedictionum genere locupletet. Datum Londini 19. Decemb. 1591.

Amplitudini et Dignitati tuæ addictissimus,
Joannes Castollus.

Number XIV.

A circular letter of the Archbishop of Canterbury, to the Bishops of his province; to send in an exact certificate of all the beneficed Clergymen and Curates of their respective dioceses: upon the Queen's command.

To the reverend Father in God, my very good Lord and Brother, the Bishop of Gloucester.

Chap. viii. Regist. Whitg.

SAL. in Christo. It is her Majesties express plesure and command, that you shal make a perfect and particular certificate, and send the same unto me, before the beginning of the Parlament; to be delivered to her Majesty, of al the Ministers beneficed or serving cures within your dioces; their names, their degrees in school, their learning,

their conversation; and whether they be preachers, or no. And if they be no preachers, of what tolerable learning they are, or otherwise. And likewise, which of them your self have admitted, since your being Bishop: and in what year and time you admitted them. To the intent, her Majesty may understand the state and qualities of al her Clergy in England: and especially, how her command hath been obeyed, which was openly given in Parlament. For it is said, there are as unmeet Ministers admitted since, as there were before.

You may not fail therof, or deal otherwise in your certificate, than you wilbe able to stand to and justify. And notwithstanding you have, peradventure, made some such certificate heretofore unto me, which some of my brethren the Bishops have don, but not many, (wherin they have forgot themselves,) yet wil not that serve the turn; but you must again certify, as I have before said. And in that due order and form, that the same may be delivered to her Highnes. For it is her plesure it should be.

You must likewise certify whom you have deprived for insufficiency and lewdness of life. I do also pray you, not to make any excuse for absence from the Parlament. Your presence wilbe necessary; as wel to answer for your self, if there be cause, as also for the public service and good of the Church. And so requiring you, in her Majesties name, to se the premisses duely performed, I commit you to the tuition of God. From Lambeth, the 10. of January, 1592.

Your loving brother in Christ,
Jo. Cantuar.

[Number XIV.] 171

Ex concione Magistri Doctoris Andrewes ad Clerum: habitâ Londini, in æde Divi Pauli, in Comitiis Panangliis. Anno 1592.

ACT. xx. 28. *Attendite vobis et universo gregi*, &c. Hic canon, *Attendite*, omnes in se canones complectitur. Partes

Chap. ix. MSS. ecclesiastic. pen. me.

BOOK IV.

3es: 1a. Operativum verbum, *Attendite*. 2a. Quàm latè pateat hæc cura. 3a. Quousque se debeat intendere.

Precemur, ne hæc synodus larva sit synodi, in quâ ubi de re pecuniaria transactum est, actum est, tum ite, discedite sed ut ovibus attendatur, et non tantùm tondeantur.

1a. *Attendite.* Sive vox, sive tuba, sive tonitru; Attendite, (inquit Augustinus.) Postea etiam addit Apostolus, *vigilate:* sic hæc *attentio* tam oculata, quam aurita esse debet.

Viderat siquidem ille illorum manus in opere remissas esse, et soluta genua.

Attentio non fit sine tentione: si qua machina nos tendat, continuo ut dolosus arcus, dissilimus.

Postulamus cucurbitam Jonæ, et pulvillos Jeremiæ.

Christus inde orditur cladem Ecclesiæ, quòd homines dormirent.

Aut cura, aut cor nobis defuit, dum zizania in Ecclesiâ nostrâ jam fruges facta sunt.

Thales Milesius, 1o. dixit hac in urbe, non sine oculo Domini equum pinguem reddi: id jam dicit Paulus Milesius.

Attendite, inquam, et tantùm dico, Attendite: attentio ista et aurita est, et oculata, et cordata.

Omnes historiæ testantur Ecclesiam concidisse, quia hoc ipsum defuit, Attendite.

Quod ille Nahamani, idem et ego vobis dico: si rem magnam petiisset Apostolus, facere deberetis: quanto magis hoc quod tam exiguum est, Attendite?

In attentione ista synodus debet esse curarum: adhibete, quæso, synodum hanc synodo vestræ.

Non petit à nobis Ecclesia aurum aut argentum, sed quod habemus, id demus Ecclesiæ.

2a. In reliquis simpla est attentio, in Ministris dupla esse debet.

Quis vobis, nisi vos? Quis attendet attendentibus? Quis custos custodi?

Dixit Christus Petro, *Confirma fratres tuos.* Populi quidem vox est. Satis vos esse ad rem attentos. Apostolus

ad Timotheum duos statuit terminos hujus attentionis: tibi et doctrinæ, atque alibi doctrinæ et conversationi.

Attendite *doctrinæ:* non dico ne ægra sit et pruriginosa, sed omnino ne nulla sit.

Mutârunt multi theologiam in battologiam, et ecclesiam ipsam in tonstrinam.

Ecclesiastes jubet, verba esse cum delectu et delectatione, at isti multa decora et indecora effutiunt.

Omnem doctrinam reconditiorem proscribunt in concionibus: quare tendit vobis manus supplex doctrina, ut huic malo succurratis.

Secundus terminus est in *conversatione.*

Acutè id animadvertit Scholiastes: *Scopus* et *Episcopus* dici tam activè, quàm passivè.

Tales debent esse Episcopi, ut ad illos reliqui comparati *grex* verè dicantur.

In Ascalone triumphum agunt de peccatis Episcoporum: intelligentibus loquor.

Jam de *grege.*

In gregem positi estis pro grege, non pro vobis: et tria illa argumenta quæ sequuntur, pro grege sunt, non pro vobis.

Gregi ut attendatis, ne vobis quidem ipsis est attendendum, et exemplo magni illius Pastoris, etiam vitam ipsam pro grege debetis quandoque deponere.

Hodie multi Episcopi malunt esse morosi, quàm bene morati.

Nisi vos gregi, fiet ut vobis grex attendat: id quod novissimis his annis fieri cœptum est.

Vos populus curat scilicet.

Simon dormis, et Judas non dormit? Quis id crederet? 172

3ª. Est *intentio.*

Non casu aliquando, sed à Spiritu Sancto positi estis Episcopi: quod estis, este.

Grex vester, et si non aureum vellus, tamen animas habet aureas.

In grege redimendo, non dixit Deus, et factum est: sed sanguinem suum pretiosum impendit.

BOOK IV.

Non erat hîc ποίησις sed περιποίησις.

Non est Ecclesia albugo, vel iris oculi: sed ipsa pupilla, nec denique pro hac sanguis Christi malignè ex venâ aliquâ emissus est, sed ex corde intimo atque affatim scaturiit.

Peccatis in Spiritum Sanctum, si huic muneri, vobis à Spiritu Sancto demandato, non attenditis. Spiritus Sanctus est communis omnium nostrûm Metropolitanus.

Si quis vel per scalam ambitionis, vel per impluvium largitionis in ovile intraverit, non miror, si nec ille gregi, nec grex huic attendat.

Majorem fere rationem habemus nummorum, quàm morum.

Consistoria vestra sedes sunt, visitationis itinera attentiones.

An in hâc synodo, tanquam Sacerdos ille, venturi estis ad Ecclesiam sauciam, et visuri, et relicturi in statu quo?

Illa vox poetæ, potuit esse prophetæ ad Clerum: *Quærenda pecunia primum est.* Quòd si non prima ratio debeat esse virtutis et pietatis, utinam secunda, aut tertia, aut denique postrema, aut non saltem nulla.

Non dico jam ut attendatis ab hæreticis et schismaticis, sed ab atheis illis bestiis Ephesinis: in quos si nihil possit disciplina nostra ecclesiastica, non video quid possit.

2°. Attendite à transfugis etiam illis Jesuitis.

3°. Etiam ab illis quorum ingenia tam turbulenta sunt et inquieta, ut semper velint leges Ecclesiæ dare, nunquam accipere.

Nisi attentionem disciplinæ vestræ, *i. e.* medicinam medicinæ apponatis, brevi pro Sione Babelem habituri sumus.

Disciplina nostra jam solas crumenas pulsat, ut consulatur potiùs ovium attonsioni, quàm attentioni, et fisco, quàm Christo.

Prostituimus illud horrendum et tremendum Dei fulmen, ejaculamur in rebus leviculis et ridiculis, adeo ut jam illud cœperit vulgus hominum irridere atque subsannare.

Number XV.

Ordinances made by the Archbishop of Canterbury, for All Souls college, Oxon; upon a visitation of the said house, for explanation of the statutes.

JOHANNES divinâ providentiâ Cantuar. Archiepiscopus, totius Angliæ Primas et Metropolitanus, collegii Omnium Animarum fidelium defunctorum in Universitate Oxon. Visitator, Patronus, et Ordinarius; dilectis nobis in Christo dicti collegii Custodi, Vice-Custodi, Decanis, Bursariis, omnibusque et singulis ejusd. collegii Sociis et Scholaribus, sal. Chap. ix. Regist. Whitg. vol. i. f. 200.

Cum statutis et ordinationibus ejus collegii sit providè et salubriter cautum et provisum, ut omnes et singuli Socii et Scholares ejusd. collegii, in communi aula singulas suas refectiones in prandiis et cœnis, publicè accipiant; ad nos tamen, non sine molestia et dolore nostris, frequentibus et pænè quotidianis bonorum virorum relationibus et querimoniis relatum est, Socios et Scholares ejusd. collegii suorum officiorum in ea parte immemores periculoso exemplo, et incredibili erga felicis memoriæ Fundatorem ingratitudine, (cujus voluntatem et dispositionem contemnunt, ac in non modicum studiorum suorum et morum dispendium, ac disciplinæ scholasticæ interitum, mutuæque benevolentiæ diminutionem, ac variarum factionum incrementum,) in cubiculis suis potius splendida ac sumptuosa convivia, quàm frugales refectiones, literarum studiosis dignas et convenientes, privatim tenere, et quotidiè pænè fovere: nos huic 173
incommodo mederi et consulere cupientes, pro ea potestate quæ nobis a Fundatore et statutis concessa est, et a prima ejus collegii fundatione perpetuo usu confirmata, statuimus et ordinamus;

Quod posthac nullus dicti collegii Socius aut Scholaris extra aulam communem, in cubiculo suo aut alieno, infra ambitum collegii, multoque minus in oppido, prandebit aut cœnabit, collegii sumptibus et impensis; nec quotidianas aut consuetas suas, quas vocant *communias*, ullatenus habebunt aut percipiant absque venia Custodis, vel, in ejus

BOOK IV.

absentia, Vice-Custodis, prius impetrata; idque infirmitatis intuitu, aut alterius legitimi impedimenti occasione, Custodi, seu, eo absente, Vice-Custodi, antea significati et approbati. Et insuper tenore presentium Bursariis et Economis dict. collegii pro tempore existentib. statuendo interdicimus et inhibemus, ne communias hujusmodi cuiquam absenti tradant, aut tradi permittant, sub pœna amissionis, et carentiæ propriæ suæ, quam vocant, communiæ, per spatium bidui, iique sub ead. pœna communias absentium in commoda et utilitatem collegii communem convertendum, reservari curabunt.

Et quum præterea fide dignorum relatione informemur, magnum puerorum et famulorum numerum per plurimos dict. collegii Socios et Scholares, ad magnum collegii detrimentum et gravamen sine delectu, nutriri et continuò sustineri; statuimus, ne Sociorum aut Scholarium ullus in posterum (Doctoribus duntaxat exceptis) ullum puerum aut famulum in dict. collegio accipiat, sustineat aut nutriat, sine expresso consensu Custodis ad id prius in scriptis obtento et impetrato: et quod Custos in admissione et approbatione hujusmodi puerorum et famulorum, rationem habebit, ut numerus sit moderatus et nullo modo communem collegii statum gravet. In quorum omnium et singulorum fidem et testimonium præsentes literas nostras sigilli nostri appositione communiri curavimus. Dat. 12. die mensis Januarii, anno Dom. juxta computationem Ecclesiæ Anglicanæ 1592. et nostræ translationis anno decimo.

Number XVI.

The instrument of the Archbishop; nominating officers for the college of All Souls, Oxon.

Chap. ix. E Regist. Whitgift. vol. i. fol. 200.

JOHANNES divinâ providentiâ Cantuar. Archiepiscopus, &c. collegii Omnium Animarum fidelium defunctorum, in Universitate Oxon. Visitator, Patronus, et Ordinarius, dilectis nobis in Christo, Magistro Roberto Hovenden, S. Th. Professori, dict. collegii Custodi, omnibusque et sin-

gulis ejusdem collegii Sociis et Scholaribus, salutem. Quum nobis ore tenus, et viva voce per te, Custos prænominate, sit significatum, in electionem Vice-Custodis, et reliquorum dict. collegii officiariorum hujus instantis anni, infra tempus per ejusdem collegii statuta limitatum et præscriptum, inter se elegendi potestatem habentes, consentiri non potuisse; quamque ea occasione ex sententia et commoda statutorum interpretatione per unum prædecessorum nostrorum Cant. Archiepiscopum, jampridem facta, quam nos æquam et statutorum sensui et menti consentaneam judicamus, potestas Vice-Custodem et reliquos officiarios nominandi et designandi, ad nos tanquam Patronum, Visitatorem, et Ordinarium collegii sit ritè devoluta; vobis et singulis vestrum significamus, nos cum causæ cognitione et matura deliberatione, Henricum Beaumont, S. T. B. in Vice-Custodem, Johannem Williams, A. M. in Decanum Arcistam, Johannem Wiburn, Artium etiam Magistr. in Bursarium Arcistam, Magistrum William Byrd, LL. D. in Decanum Juristam, et Magistrum Rhodoricum Lloyd in Legum Baccalaur. Juristam, et Humfredum Hargrave, Art. Magistr. in Sacræ Theologiæ Moderatorem seu Rectorem, nominasse et designasse, &c.

Number XVII. 174

Mr. Richard Hooker to the Lord Treasurer; when he sent him the written copy of his Ecclesiastical Polity.

MY duty in most humble maner remembered. So it is, my good Lord, that manitimes affection causeth those things to be don, which would rather be forborn, if men were wholly guided by judgment. Albeit therefore, I must needs in reason condemne my self of over-great boldness, for thus presuming to offer to your Lordships view my poor and slender labours: yet, because that which moves me so to do, is a dutiful affection some way, to manifest it self: and glad to take this present occasion, for want of other more worthy your Lordships acceptation: I am in

Chap. ix. MSS. Burghleian.

BOOK IV.

that behalf not out of hope, your Lordships wisdom wil the easier pardon my fault, the rather, because my self am persuaded, that my faultiness had been greater, if these writings concerning the nobler part of those laws under which we live, should not have craved with the first your Lordships favourable approbation. Whose painful care to uphold al laws, and especially the ecclesiastical, hath by the space of so many years so apparently shewed it self. That if we, who enjoy the benefit thereof, did dissemble it, they whose malice doth most envy our good herein would convince our unthankfulness. Wherefore submitting both my self and these my simple doings unto your Lordships most wise judgment, I here humbly take my leave. London, the xiiith of March, 1592.

Your Lordships most willingly at commandment,

Richard Hooker.

[Number XVII.]

Theodore Beza, to Whitgift, Archbishop of Canterbury, from Geneva.

Reverendissimo Domino et spectatissimæ tum pietatis tum doctrinæ Viro, D. Whitgifto Cantuar. Archiepiscopo, Domino mihi summè observando; gratiam et pacem a Deo Patre et Servatore nostro Jesu Christo.

Chap. x. MSS. Rev. Th. Turner, D. D. nuper Presid. C.C.C. O.

REVERENDE mi Domine, facit humanitas illa tua singularis in illis tuis ad me literis expressa, quas D. Lectius a vobis revertens mihi reddidit, et quibus jampridem respondi, ut animi mei sensum reverendæ tuæ Dignitati exponere non verear. Docuit me vero ipse rerum usus, ex tenuissimis interdum principiis neglectis, mala longè maxima oriri. Hoc ab ecclesiis nostris (nostras autem appello in una eademque veræ religionis confessione penitus et per omnia consentientes) Opt. Max. ille Deus noster avertat. Qua in re piis bonisque omnibus seriò laborandum esse, non dubito quin mecum sentias. In ritibus ex-

ternisque illis variamus. Importuni verò certè et contentiosi fuerint, qui temerè vel pertinaciter sua tuendo, et quæ aliis placent carpendo, ecclesias propterea perturbant. Sua enim cuique Ecclesiæ libertas in his rebus meritò relinquitur, modò quæ vel retineantur, vel innovantur, ad ædificationem faciant. In ipsâ vero ecclesiasticæ gubernationis formâ, ut nobis quidem videtur essentiali, quod aliquatenus dissentimus, video primùm magnas isthic turbas dedisse. Quæ nunc quidem, quasi trajecto mari, ad nos usque, et quidem ad me privatim, quasi harum turbarum vel autorem vel fautorem, redundant. Ita me verò benè Deus 175
amet, ut hic maxima mihi fit injuria, quantum quidem conscientia mea existimare potest, sese ad Dei ipsius tribunal sistens, cujus cogitata etiam mea sunt perspecta. Et tamen nullum est crimen, ne impietate quidem excepta, quod, Latinè quoque scriptis libris, nobis non objiciatur.

Atqui siquid isthic mali per intemperiem, vel etiam seditiosè a quoquam dictum, scriptum vel factum est, quid hoc ad nos? Quibus certè minimè probari potest, quod παρὰ τὸ καθῆκον, et ἀτάκτως geritur. Hinc illæ calumniæ, hyperbolicæ et indignissimæ. Quod episcopatum omnem aboleri velimus; quod democraticam ἀταξίαν, imò, ὀχλοκρατίαν, in Ecclesiam revehamus; quod Genevensem disciplinam omnibus Ecclesiis obtrudamus; et quid non? Hi sunt enim flosculi, quibus a Sutclivio, post Saraviam, depingimur. Libellus autem, eloquenter profectò scriptus, sed nescio an satis prudenter, *Querimonia Ecclesiæ* inscriptus; postquam me laudibus summis obruit, quas absit ut minimâ ex parte agnoscam eadem, licet paulo interdum moderatius, inculcat. Ad hos tandem accessit arreptitius ille, et pro insano jampridem in patria a sanis hominibus habitus, Frigivillius; qui hujus argumenti prætextu suas revelationes spargeret.

Ista sic adversus nos geri, reverende mi Domine, te conscio et volente, illa prudentia et æquitas tua singularis non patitur, ut existimare possim. Quod si nactus essem, quæ hac de re abs te scripta fuisse nunc intelligo, ita fortasse nobis jam olim satisfecisses, et tibi quoque a nobis satis-

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factum fuisset. Nec enim aliud quærere me, quam veritatem ex puro illo fonte haustam, Deus ipse mihi testis est. Hanc autem quidvis excudendi licentiam, nullo præeunte sacri saltem ordinis vestri judicio, coercendam esse, quis melius quàm tu, intelligit? Et quis hic apud regiam serenissimam Majestatem plus potest, quàm tua vel unius authoritas? Sed hac de re pro tua prudentia, mi Domine, videris.

Erasti sane librum mirantur non pauci, isthic impressum fieri posse: cui si creditur, non nostra tantum presbyteria corruerint, sed etiam ecclesiastica jurisdictio, imò et censura sacra omnis a fundamentis convelletur.

Episcopatum autem triplicem dicere, unum videlicet divinæ prorsus et apostolicæ dispositionis, qui totus est ordinis; alterum humanum, quo per consuetudinem ad hunc ordinem adjectus est episcopalis gradus, certis tamen canonibus et regulis circumscriptus; tertium plane satanicum et tyrannicum; si est hæresis Aëriana, ego quidem non video, quînam Hieronymus, Ambrosius, Augustinus, expressis verbis, non divinæ institutionis, sed recentioris moris et consuetudinis hunc gradum esse testantes, non sint inter hæreticos illis censendi. Divinum autem illum integrum recto et communi piorum consensu restitui cupere, non est certè humanum illum, ut a carnis spiritu profectum, rejicere. Et cum illo tyrannico et satanico confundere (quem utrique detestamur) nec etiam illum simpliciter damnare, sed cum ordinem, quem non hæc, tantum Ecclesiæ, verum etiam Ecclesiæ pleræque in variis Europæ regionibus observant, absque vestrarum præjudicio, tueri; et optare, ut omnis aditus tyrannidi ecclesiasticæ præcludatur; cui non satis fuisse in illo humano episcopatu cautum ecclesiastica historia tota testatur; et quæ inde emanavit papistica, quam oppugnamus, tyrannis, manifestè demonstrat.

Egi de istis, Saraviæ respondens, quàm moderatissimè potui? Quàm autem rectè et commodè, æqui lectores dijudicent. Nec mihi animus est ad altera illa scripta aliud respondere, nè fodere ignem velle videar, quem potius meo

ipsius sanguine, si opus esset, restingui velim. Idem sum tibi meo ad tuas illas literas responso testatus; quas accepisse, nec tibi ingratas fuisse, mihi persuadeo.

Hoc nunc abs te peto, ut potius quàm, quod ad nos quidem attinet, aliqua hinc simultas apertior inter ejusdem fidei spiritu conjunctissimos, exoriatur, huic saltem in scribendo intemperiei occurratur. Quod siquid antea scriptum a me fuisse nonnulli existimant, quo quisquam isthic meritò fuerit offensus (quod certè nunquam prudens sciensque feci, nec facile repertum iri spero) operam omnem dabo admonitus, ut jure de me nemo conqueratur. Etsi enim ex illis scriptis quædam mihi objecta animadverto, de quibus facile jam mihi fuerit rationem reddere, æquis omnibus judicibus præbendam: tamen ut spiritui discordiæ occurratur, et semel hac molestâ defungar, vehementer abs te etiam atque etiam peto, reverende mi Domine, ut quid hac tota de re tibi videatur, ex teipso intelligam, pacatiùs postea, quod mihi hujus vitæ curriculi superest, favente Deo, confecturus.

Visum est autem mihi carmen etiam istis adjicere, ex quo intelligas quæ nostra sit, contra quam nonnulli fortasse opinantur, in serenissimam regiam illam Majestatem, tot etiam exterarum Ecclesiarum nutricem, observantia: et quam certa tot ab Angliâ acceptorum beneficiorum recordatio.

Ad res denique nostras quod attinet, de quibus te quo- 176
que pro charitate Christianâ tuâ sæpe cogitare non dubito, sic paucis habeto. Quo diutius fervet hoc bellum, cujus ne nunc quidem finem conjicimus, eo magis quanto pax bello præstet, experimur. In his autem difficultatibus, quamvis ad eas ea recens accesserit, nobis unà cum omnibus Ecclesiis Gallicis communis, quam etiam, tacente me, satis intelligis; perstamus tamen, et (ut spero) ad extremum perstabimus, invicta illa Opt. Max. Dei nostri, quam toties sensimus, potentia et benignitate, et in hac nostra dissensione, bonâ rectâque conscientiâ freti.

Tu verò, reverende mi Domine, precibus tuis, quæso, perge nos Deo commendare, quemadmodum vicissim ab eo

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petere non desinimus; quod ex his ipsis versiculis cognoscas.

Reverendæ tuæ Dignitati addictissimus,
Theodorus Beza.

Number XVIII.

John Penry's protestation before his death: sent to the Lord Treasurer.

Chap. xi. MSS. ecclesiastic. penes me.

ALTHO' it were altogether most reasonable, that these my public, deliberate, and digested writings should bind up and seal that wound, which my most secret, unballanced, and confused *observations* are judged to make; yet I crave not so much as that equity in that case, wherin my allegiance and dutifulnes towards my most gracious Prince is called in question. Only this I desire, that what in the very conscience of her right excellent Majesty, and of al those both honourable and worshipful, (unto whose hands I earnestly entreat that this my writing may come,) shalbe most likely to agree with truth, may be determined, touching my cause. And that accordingly, I may be acquitted or condemned of the guilt layd unto my charge.

As for the penalty therof, I wil not refuse to sustain the same, if it shal then be thought good unto her Highnes to inflict it upon me: whether it be the undeserved mulct of my innocence, or the just demerit of my guiltines; that I referr unto the Lords determination, and her gracious Majesty, whom he hath placed over me. My innocency only I desire hereby to be manifested, without any further regard; that whether I live or dy, my uprightnes toward my Prince may survive.

Whatsoever they, in these my private intercepted writings, (being for the most part the secret and confused observations of mine own study,) touch her excellent Majesty, the same, I protest, were set down by me, either as objected indeed by others, wherof I thought to have considered further (if at al) for her Majesties clearing, when oc-

casion should be offered: or as being the grounds of a brief treatise, which with mine own hands (if ever the Lord should grant means and opportunity therof) I purposed to have delivered unto her Highnes, for the manifesting of my faith and allegiance towards the Lord and her Majesty. Wherin, as in a private advertisement, for the discharge of my conscience, I meant to have offered unto her consideration, whether many things beside her knowledg were not don under her government, to the hindrance of the free course of the Gospel? For the which she was blamed in foreign nations; and, it may be, would be further charged among posterity.

These my writings also are not only most imperfect, but 177
even so private, that no creature under heaven was privy unto them, (my self excepted,) until now they were seized upon. And therfore it wil be the great fault of those into whose hands they are come, and not any undutifulnes of mine, that ever they be made more public than they are. Mine I dare not acknowledg them to be for a thousand worlds; because I should therby most fearfully sin against the Lord and mine own conscience, in bearing false witnes against my self. I never conceived that any man would have made any thing of them, especially against my self, by whomsoever they have been intercepted. Otherwise, it may be wel thought, that I would never have reserved them, being to my so smal use, as al men wil judg them to be.

Nor for the clearing of my dutifulnes toward her Majesty, and of the purpose I had in going to refer my self into her hands, it shal be found in those my intercepted writings, how earnestly I have entreated the Lord, and how often, (especially towards the end of my coming out of Scotland,) to grant me favour in her sight, and to encline her heart unto my petition. Which was only, that it would please her to conceive of me as I was in heart towards her; and to permit me to employ my smal talent among my poor countrymen in Wales, for their calling unto the knowledg of Christ. Their ignorance (alas!) I know to be over-lamentable.

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It wil also appear in my said writings, that word coming into Scotland, of her Majesties departure out of this life, I humbled my self, when I heard it, in fasting and prayer before the Lord, entreating even with many tears, that the report might prove untrue, as I thank his Majesty it did: shewing, what a great stroke in my conscience, the taking of her Majesty out of this life would be unto the whole Church of God this day; especially unto her kingdom, my dear and native country. How heavy the news was unto me in particular, those my writings do partly testify; my conscience knoweth, and the Lord God, I am sure, wil revele, unto my utter clearing in that great day. This was don long since I had occasion to set down al the things wherewith I am likely to be heavily charged. No creature was privy unto this action of mine, until my writings were now intercepted. Neither did I ever purpose to revele the same. Now that my secret, confused, and unadvised observations are brought against me, even to the spilling my blood; I humbly crave, that these my papers also may be looked upon and brought to light, as wel as the other; whereby mine adversaries think to impeach mine allegiance, which, I thank God, neither man nor angel ever shalbe able to effect. This was don in January or February was twelve months, 1592. It wilbe easily found out in these papers of mine, which contain a *mirir* [*miroir*] or *daily observation* of mine own sins and corruptions, and of the special requests which I made unto the Lord. Being things of that secresy, as I wel know al the world wil think it shameful, that they should be laid to my charge. Yet I thank the Lord, I refuse not to be tryed by them.

Touching the particular things that concern her Majesty in these my papers, I had great occasion in the time of my being and continuance in Scotland, to take notice of them for the purpose aforementioned. And surely the most part of them are expressed in the very or the like words wherein they were objected unto me, even by those whom I judg to wish wel unto her Majesty and government. For the gentlemen, Ministers, and people of Scotland, who are not

acquainted with the state of this land, think, by reason of the prelacy here maintained, the yoke wherof they felt over-grievous within these few years, by reason of the multitude of dumb Ministers that are tolerated and daily made in this land; and because they hear that preachers are suspended, silenced, imprisoned, deprived, &c. they have thought, I say, and have spoken it unto me, that little or no truth is permitted to be taught in England: that what is taught is mesured by the length of her Majesties scep- 178
tre, &c. that the commonwealth indeed is much, but the Gospel is little beholden to her, &c.

Whereunto I answered, that the Gospel is, in my conscience, as much beholden unto her Majesty, as unto al the princes in Europe beside. They have replyed, that princes dissemble then. For none of them that apparently defend the Gospel, do suffer the Ministers and professors therof, under their government, to be silenced and imprisoned for their conscience sake, and for maintaining that truth which *reformed Churches* do generally embrace. Wherunto as I have always sufficiently answered, I thank the Lord, on her Majesties behalf; so have I set down, confusedly, that tenour of the speeches in these my writings: that I might, upon better leisure, consider them; and make some use, for the discharge of conscience, as before I have set down.

Hereof also I have had special occasion, upon some private conference had with the Ministers of that country; wherin I have otherwise informed them of the state of things here, than they were generally certified by their merchants, or such other as travailed thither; in such sort, as being invited, some of them, by a godly gentleman of that country, they told him, that it was not without great reason, (seeing he had so often spoken with me,) that he being in such a noblemans great chamber, where her Majesties picture was set below the pictures of divers other kings and princes, he took the same, and placed it above them al. For they thought her to be no less worthy; if the speeches which I gave of her Highnes were true. The

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gentleman answered, that he was glad to learn that of me; who, as he judged, would not report otherwise than truth. Which he always conceived of her; *viz.* That the Evangel of Christ was as *mickel dead bound* (for these were his words) unto the Queen of England, as unto al the princes on this side the Alpes. The which he durst the more boldly avouch upon the credit of my report.

These and such like, I say, have been the occasions of whatsoever in my private writings seemeth to make most against me. And I could name English men, who, if they wil speak indifferent, must testify, that they have heard no less objected by others, and no less answered by me, than I here set down, as convenience of time and place hath been ministred. Yea, when mine own cause, or the cause of others, (who, professing the Gospel, were judged to be hardly dealt with under her Majesties government,) hath been alledged; I have answered, *Ut parentum, sic principis ac patriæ, severitatem, patiendo ac ferendo, leniendam esse.* Which saying, as also some others of Mark Tully unto Lentulus, as I remember, shalbe found noted in those my writings, to this very purpose. Whereby it may appear, that what I now write hath some coherence in it; tho' those my *observations* be most confused: such as out of the which no man (my self excepted) can possibly gather any purpose. I have not looked upon the most of these my writings these fourteen or fifteen months; wherby, considering how they are set down, I might also wel forget the purpose for the which they were noted.

Yet, I wil not desire to be accounted, as I thank God I am, that is, a loyal subject unto my Prince, if I shew not any speech contained in them touching her Majesty, to have risen upon the former occasions, and to have been noted for the purposes I spake of; namely, either the advertising or the further clearing of her Majesty, as the Lord would offer me occasion.

The which latter purpose of mine, is also cleared in a treatise which I published now neer seven years since. Wherin, writing unto the Parlament, I shew, that the Pa-

pists, either Bristow or Saunders, (if my memory fail me not,) had given out, that her Majesty regardeth not the Gospel any further than it may be for her standing. And therefore I desire the Parlament, that they would withstand that slaunder, by providing, that the people of Wales may be better taught: saying, that for mine own part, whatsoever the Parlament should do, I did gainsay the same [imputation,] as being undutiful and slaunderous against my Prince, as loud as ink and paper could do it. These 179
are my words, and as I shal answer before the Lord my God, I had no other but this dutiful meaning, in setting down whatsoever is now so heinously interpreted in those my writings. Briefly, the most dutiful and reverend regard, which I have caried toward her Majesty in my public writings, whensoever I have mentioned her or her government, the tenor of my life that way, together with the testimony of al those which have known me or my writings; especially of such of my countrymen as knew me in Scotland, wil clear me of whatsoever may touch my loyalty toward my Sovereign.

And I do here in this last writing which is likely to procede from me, for ought I know, protest before al the world, that altho' I regarded neither the fear of God or man, nor yet the testimony of a good conscience; yet the respect which I have always had, that my native country of Wales should not cary the blemish, that ever it brought forth on my part, any that should defame or deal undutifully with so gracious a Prince, as is and hath been always unto us, should and would keep me from al undutiful attempts against her Highnes. Nay, I thank God, I have al reasons that do, and always have stirred me up unto al dutifulnes unto my Prince; but never any thing that moved me, so much as in a secret wandring thought, unto any disloyal cogitation of her Majesty.

Lastly, In these my intercepted writings, which are now brought against me, containing in them not only a particular record of my daily corruptions, for and against the which I craved mercy and strength at the Lords hands;

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but also of al the special sins, wherof my conscience could accuse me in al my life, even unto the day of my coming out of Scotland; it wil easily appear, whether my soul was ever privy unto any offence committed by me against her Majesty: save only this, (wherof I there complain,) namely, that I was not so careful in praying for her preservation and welfare, as I desired and laboured to have been. And yet, I thank the Lord, I remember not, that that day hath past over my head, since under her government I first came unto the knowledg of the truth, wherein I have not commended her estate unto his Majesty.

I deal in these my most secret papers without guile; as in his sight, whom I know to be the reveler of secrets, and at hand. I craved the healing of my bruised conscience. Wherefore it concerned me not to collude with him; tho' I might do the same with man. Such dealing might wel augment the intolerable burthen of my weried soul: but cure my wound it could not. And therfore, I may truly say, if ever I had been guilty of any such crime, that there it would have been set down, even when I poured the very secrets of my heart before the mercy seat of the Ever-living.

Well, I may be indicted, arraigned, condemned, and end the days of my wearisome pilgrimage as a felon; yea, or traytor against my natural Sovereign; but I thank my God, heaven and earth shal not be able to convict me thereof. And my attaindor, whensoever it shalbe for this cause, wilbe more infamous, than was the owners of the crown in Cheap, under K. Richard III. (whose government I do in no wise compare unto her Majesties peaceable reign.) For the man was rewarded evil for doing no hurt: and I am likely to be recompenced evil for good. Tho' I am assured, that if her Majesty (which I humbly and earnestly desire and entreat) may understand the uprightnes of my cause in any sort, that one hair of my head shal not perish. And because my supposed offence is only don against her Majesty, I refer my self wholly unto her hands and determination, (her Highnes having considered my cause, as here I have set down the same,) without any further tryal. If

she adjudge me to death, or to the most intolerable servitude that can be invented, for the whole term of this my short stinted life, I offer under her my hand to undergo that penalty without any shew of unwillingnes, as neer as I can.

And I thank God, that whensoever an end of my days comes, as I look not to live this week to an end, mine innocency shal benefit so much as I shal dy Queen Elizabeths most faithful subject, even in the conscience of my very adversaries themselves, if they wilbe the beholders thereof: and by my death convince them before al the world, that I have lived so too. And my God, I trust, wil one day cause my innocency to shine as the noon day before my gracious Prince.

I am a poor young man, born and bred in the mountains of Wales. I am the first, since the last springing of the Gospel in this latter age, that publicly laboured to have the blessed seed therof sown in those barren mountains. I have often rejoyced before my God, as he knoweth, that I had the favour to be born and live under her Majesty, for the promoting this work. In the earnest desire I had to se the Gospel planted in my native country, and the contrary corruptions removed, I might wel, as I confess in my published writings, with Hegetorides the Thracian, forget mine own danger: but my loyalty to my Prince did I never forget. And being now to end my days before I am come to the one half of my years, in the likely course of nature, I leave the success of these my labours unto such of my countrymen as the Lord is to raise up after me, for the accomplishing of that work, which, in the calling of my country unto the knowledge of Christs blessed Gospel, I began.

I never took my self for a rebuker, much less for a reformer, of states and kingdoms. Far was that from me: yet in the discharge of my conscience, al the world was to bear with me, if I preferred the testimony which I was bound to yield unto the truth of Jesus Christ, before the favour of any creature. The standing of the state, king-

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dom, and Prince, was always most dear unto me, as He knoweth by whom states are preserved and princes do bear rule. The beginning of her Majesties reign I never saw: and beseech the Lord, that no creature may se the end of her prosperity. An enemy unto any good order and policy, either in Church or commonwealth, was I never. All good learning and knowledg of the arts and tongues, I laboured to attain unto, and to promote unto the uttermost of my power. Whatsoever I wrot in religion, the same I did simply, for no other end, than for the bringing of Gods truth to light. I never did any thing in this cause (Lord, thou art witnes) for contention, vain-glory, or to draw disciples after me, or to be accounted singular.

Whatsoever I wrot or held, beside the warrant of the *written word*, I have always warned al men to leave it. And wherin I saw that I had erred my self, I have, as al this land doth now know, confessed my ignorance, and framed my judgment and practice according to the truth of the word. Notwithstanding that this be prejudicial to my public writings; yea, and life. The like am I ready to do in any thing which I hold beside the truth at this hour.

That brief *confession* of my faith and allegiance unto the Lord and her Majesty, written since my imprisonment, and delivered to the worshipful Mr. Justice Young, I take, as I shal answer before Jesus Christ and the elect angels, to contain nothing but Gods eternal verity in it. And therefore, if my blood were an ocean sea, and every drop therof were a life unto me, I would give them al, by the help of the Lord, for the maintenance of the same my confession. Yet, if any error can be shewed therin, that wil I not maintain.

Otherwise, far be it, that either the saving of an earthly life, the regard which in nature I ought to have to the desolate outward state of a poor friendles widow, and four poor fatherless infants, wherof the eldest is not above four years old; which I am to leave behind me, or any other outward thing, should enforce me, by the denyal of Gods truth, contrary unto my conscience, to leese mine own

soul. The Lord, I trust, wil never give me over unto this sin.

181 Great things in this life I never sought for, not so much as in thought. A mean and base outward state, according to my mean condition, I was content with. Sufficiency I have had with great outward troubles: but most contented I was with my lot. And content I am, and shalbe with my undeserved and untimely death; beseeching the Lord, that it be not laid unto the charge of any creature in this land. For I do from my heart forgive al those that seek my life, as I desire to be forgiven in the day of strict account; praying for them as for mine own soul. That altho' upon earth we cannot accord, we may yet meet in heaven, unto our eternal comfort and unity; where al controversies shalbe at an end.

And if my death can procure any quietnes unto the Church of God, and unto the state of my Prince and her kingdom, wherin I was born; glad I am, that I had a life to bestow in this service. I know not to what better use it could be employed, if it were reserved. And therfore in this cause I desire not to spare the same. Thus have I lived towards the Lord and my Prince; and thus mean I to dy by his grace. Many such subjects I wish unto my Prince; tho' no such reward unto any of them.

My only request, being also as earnest as possible I can utter the same, unto al those, both honourable and worshipful, unto whose hands this my last testimony may come, is, that her Majesty may be acquainted [herewith] before my death, if it may be, or at least after my departure.

Subscribed with the heart and the hand, which never devised or wrot any thing to the discredit or defamation of my Sovereign, Queen Elizabeth: (I take it on my death, as I hope to have a life after this.) By me,

John Penry.

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Number XIX.

An epistle of thanks to the Archbishop from the University of Cambridge, for a considerable benefit done them.

Reverendissimo in Christo Patri, &c. *D. Johanni, Archiepiscopo Cantuar.* &c.

Chap. xi. Ex Regist. Literar. in custod. Oratoris Publici Cant. R. Tho. Baker, B. D.

EGIMUS non ita pridem cum Amplitudine tuâ (reverendissime Præsul,) ut quorum beneficiorum donatio ad honoratissimum Magni Sigilli Custodem tota pertineret, in iis conferendis, major saltem, quàm assolebat, Academicorum (tuâ potissimum interpositâ gratiâ) ratio haberetur. Et petitioni nostræ non ipse modo promptissimè assensus es, sed etiam, cum ut cæteri proceres assentirentur, tum ut ipsa S. S. regia Majestas mandato suo apud D. Custodem eidem suffragaretur, perfecit Amplitudo tua. Non erat id quidem, nobis præsertim, mirum, si qui semper, ne cogitantibus nobis, utiliter rebus nostris affueris, idem tam justa, tam honesta petentibus, non deesses. Sed tamen sic profectò statuimus, cæteris in rebus propè omnibus summum amorem, una hac in causa, singularem munificentiam tuam se ostendisse. Cætera enim beneficia, quot et qualia, et qualiacunque fuerunt (et fuerunt certe maxima) tamen Academicos ornabant, potius quam faciebant: et ut pacatè in sacrario hoc literarum studerent, non ut confestim huc multi convolarent, præstiterunt. Hoc et Academicis securitatem, et Academiis numerosam sobolem pariet et restituet.

Superiora illa ita utilitati nostræ consulunt, si intra gymnasii septa, et Musarum tanquam asylum, nos contineamus. Cæterùm, ut non multos ad nos alliciunt, ita perpaucis in rempub. emigrantibus prosunt. Hoc nec in Academiæ umbraculis delitescentibus, vel minimam cujusque commodi partem imminuet, et in lucem reipub. prodeuntes, victu instruet necessario. Nam de rep. de religione quid dicemus? Quarum quidem causa sic cum utilitate nostra in hac re implicata est, ut cum nos beneficium ab Amplitud. tuâ, tum illas certe salutem accipere, fateantur necesse est. Quid enim est, aut tam reip. salutare, quàm

si religio ac verus Dei cultus, per omnes regni partes, castè pureque propagetur; aut tam disseminandæ religioni aptum, quàm si viri ab omni doctrina ac præsertim divina, instructi, singulis ecclesiis instituendis informandisque præficiantur? Aut hi, tot ac tales viri, unde assumi, nisi ex penu et fonte Academiarum, poterunt? Quæ quidem, quia quos omnibus literis instruxerunt, quo emittant non habent, de reliquo ne non essent habituræ, quos instruerent, videbantur subvereri.

Nos vero (reverendissime Archipræsul) maximi beneficii 183
optimè inchoata initia videmus, de progressu perfectioneque non dubitamus: neque nunc solum, quod id susceperis, gratias agimus; sed etiam ut absolvas, enixè contendimus. Nihil erit profectò tam aut Deo gratum, aut hominibus fructuosum, nihil aut literarum Mecenati aptius, aut principi in rep. viro dignius, aut summo Præsuli sanctius, quàm ut eadem opera Academiis consulat, remp. constituat, religionem longè lateque dispertiat atque diffundat. Deus Ampl. tuam sibi, Ecclesiæ, reip. perpetuò incolumem velit. Cantabrigiæ, e senatu nostro ii. cal. Julii.

Ampl. tuæ perpetuò deditiss.

Procancellarius, &c.

Number XX.

Fletcher, Bishop of London, his letter to the Lord Treasurer; to obtain access to the Queen's presence, as before he had.

My good Lord,

DIVERS my friends have of late moved her Majesty, Chap. xiii.
according to my most humble desire, that it would please Literæ episcopal.
her Highnes to give me access unto her presence. Wherin it hath pleased her Majesty to use very gracious words of me, yet deferring that til hereafter.

'Tis now a year, within a week or two, since I have seen her Majesty; which to me hath seemed a longer time than a whole *seculum*, that ever I conceived to have lived in her

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Highnes gracious aspect and favour, now twenty years past.

Your Lordship was the honourable means of the first recovery of that her Majesties good favour to the liberty of my function.

And if it please your Lordship to add therunto your honorable mediation unto her Majesty, to let her understand my most humble suit to do my duty and service in her presence: and if not further, yet to se her Majesty; I shal hold my self most bound to your Lordships kindness. Which not onely would be unto me and my port unspeakable comfort, but also give me great alacrity and other regard to the better doing of Gods and her Majesties service, in that great charge which it hath pleased her to cal me unto.

And so praying God for your Lordships health, and the continuance of his blessing to your Lordship, I take my leave. From my house in London, this 7. of January,

Your Lordships ever in Christ,

Rich. London.

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Number XXI.

Mr. Thomas Cartwright to Michael Hickes, Esq. from the Isle of Guernsey; with a form of prayer, sent him according as he had desired. Sept. 20, 1595.

Chap. xiv. MSS. D. Michael Hickes, Eq. Aurat. penes me.

PRAYER being, as it were, a bunch of keys, whereby to go to al the treasures and store-houses of the Lord; his buttries, his pantries, his cellars, his wardrobe, and whatsoever was needful either for this, or for the life to come; it is a Christian wisdom in you to enquire after the skil and knowledg of it: and giveth you some comfort of being led by the same Spirit the Apostles of our Saviour Christ were, when they desired him to teach them how to pray. Howbeit you held not the same tenor of wisdom in addressing yourself to me, for instruction and direction in it; as to one that findeth no contentment in mine own prayers, and therefore unable to give satisfaction to others: especially unto you, which having so many formes of ex-

cellent prayer printed before you, seek some further help, than those worthy prayers wil afford you.

I had purposed, reserving the same heads, to have drawn you a shorter form to have used, when the suddennes of your affairs would not suffer you to be so large. Howbeit, it was a thing that your self may easily do.

Number XXII. 185

Mr. Barret's retractation of some points delivered by him in his Clerum at St. Mary's, anno 1595.

CONCIONANTI mihi Latinè ante paucos dies in Academiæ templo (ornatissimi Viri) multa ceciderunt, et falsò et temerè dicta: quibus multorum animos exulceratos intelligo. Ut ergo Ecclesiæ et veritati, quas publicè læsi, satisfaciam, confiteor publicè, et recensendo et revocando, errores meos. Chap. xiv. MSS. Cod. in Biblioth. coll. Trin. Cantab.

Primò, Dixi neminem in hoc fragili mundo tanta firmitate esse suffultum, saltem certitudine fidei, *i. e.* nisi (ut postea exposui) per revelationem, ut de salute sua debeat esse securus. Nunc vero coram Deo profiteor, et in conscientia mea agnosco, fide justificatos pacem habere erga Deum, *i. e.* reconciliationem cum Deo, et per fidem in illo gratiâ stare. Ergo debere eos de salute sua, fidei ipsius certitudine, certos esse et securos.

Secundò, Petri fidem deficere non potuisse asserui, at aliorum posse. Nam pro fide singulorum (ut tunc dixi) non oravit Dominus. Nunc vero meliori et saniore judicio, dicentis Christi verbis edoctus (Johan. xvii. 20.) *Non pro iis*, scil. Apostolis, *rogo tantum, sed et pro iis, qui per sermonem eorum credituri sunt in me;* agnosco pro singulorum fide Christum orâsse; et illius Christi precationis efficacia, ita esse singulos verè credentes suffultos, ut eorum fides nequeat deficere.

Tertiò, Quoad finalem perseverantiam, *superbam* esse dixi illam securitatem de futuro, eoque natura sua contingenti: cujus generis est uniuscujusque hominis perseve-

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rantia. Neque tantum *superbam* affirmavi, sed impiissimam. Nunc vero ingenuè profiteor, fidem veram et justificantem, qua fideles arctissimè Christo uniuntur, ita esse fixam, et de futuro etiam certam, ut nunquam possit ullis tentationibus carnis, mundi, aut ipsius diaboli, è fidelium animis radicitus evelli. Adeo ut, qui hanc semel habet, semper sit habiturus. Ejus enim fidei justificantis beneficio, Christus in nobis habitat, et nos in Christo. Ergo non potest non et augeri (Christo in nobis indies crescente) et ad finem usque (quia Deus constantiam largitur) perseverare.

Quartò, In fide nullam esse distinctionem affirmavi, sed in credentibus. Qua in re me errasse fateor. Nunc libenter agnosco, fidem temporariam (quæ idcirco ficta est, teste Bernardo, quia temporaria) non mensura et gradibus sed reipsa distingui, et differri a fide illa salutifera, qua peccatores Christum apprehendentes, coram Deo in æternum justificantur: præterea addo, Jacobum facere mentionem fidei mortuæ, et Paulum, per dilectionem operantis.

186 Quintò, Subjunxi remissionem peccatorum esse articulum fidei, sed non specialem, nec hujus, nec illius, *i. e.* (ut ego exposui,) nec posse, nec debere quenquam verè fidelem certò credere, peccata sua esse sibi remissa. Jam vero aliter sentio, et ingenuè confiteor, unumquemque verè fidelem, hoc articulo fidei (sc. *Credo remissionem peccatorum*) teneri, certò credere sua ipsius peccata particularia esse sibi gratuitò remissa. Nec tamen hinc sequi petitionem illam orationis Domini (viz. *Remitte nobis debita nostra*) esse supervacaneam. In illa enim petitione petimus fidei tum donum, tum incrementum.

Sextò, Hæc verba mihi in concione exciderunt, viz. Quod ad eos attinet qui non servantur, firmissimè credo, et me sic credere ingenuè profiteor, contra Calvinum, P. Martyrem, et reliquos, peccatum esse veram, propriam et primam causam reprobationis. Sed melius nunc edoctus dico, reprobationem impiorum esse ab æterno, et illud Augustini ad Simplician. esse verissimum, viz. Si peccatum esset causa reprobationis, tum nullus eligeretur, cum præsciat

Deus omnes eo contaminatos; et (ut ingenuè agam) non aliter sentio et credo de doctrina electionis et reprobationis, quam Ecclesia Anglicana credit et docet libro de articulis fidei, articulo prædestinationis, in hunc modum: "Prædestinatio ad vitam est æternum Dei propositum, quo "ante jacta mundi fundamenta, suo consilio, nobis quidem "occulto, constanter decrevit, eos, quos in Christo elegit ex "hominum genere, a maledicto et exitio liberare, atque "(ut vasa in honorem efficta) per Christum ad æternam "salutem adducere. Unde qui tam præclaro Dei beneficio "sunt donati, illi Spiritu ejus, opportuno tempore, operante, "secundum propositum ejus vocantur, vocationi per gra-"tiam parent; justificantur gratis; adoptantur in filios "Dei; unigeniti ejus filii Jesu Christi imagini efficiuntur "conformes; in boniso peribus sanctè ambulant; et demum "ex Dei misericordia pertingunt ad sempiternam felicita-"tem," &c.

Postremò, Temerè hæc verba effudi adversus Johannem Calvinum, virum de Ecclesia Christi optimè meritum; eum nimirum ausum fuisse sese attolere supra altissimi et omnipotentis Dei verè altissimum et omnipotentem Filium. Quibus verbis me viro doctissimo vereque pio magnam injuriam fecisse fateor; temeritatemque hanc meam, ut omnes condonetis humilimè precor. Tum etiam quod nonnulla adversus P. Martyrem, Theodorum Bezam, Hieronym. Zanchium, Franciscum Junium, et cæteros ejusdem religionis, Ecclesiæ nostræ lumina et ornamenta, acerbissimè effuderim; eos odioso nomine appellans Calvinistas, et aliis verbis ignominiæ gravissimam infamiæ notam inurens. Quos quia Ecclesia nostra meritò reveretur, non erat æquum, ut ego eorum famam violarem, aut existimationem aliqua ratione imminuerem; aut aliquos e nostris dehortarer, ne eorum doctissima scripta legerent.

Hujus igitur gravissimi scandali, a me publicè dati, ce- 187
leberrimæ huic Academiæ, quæ est veræ religionis templum, pietatis sacrarium, me pœnitet, pigetque, et polliceor me nunquam ita in posterum, Deo dante, delicturum. Et a vobis (ornatissimi Viri) aliisque omnibus, quibus vel in

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præcedentibus articulis, vel in aliqua alia prædictæ concionis meæ parte, hoc præbui offendiculum, obnixè rogo, ut pro vestra humanitate pœnitenti mihi ignoscatis.

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Number XXIII.

A copy of Mr. Barret's propositions, which he held at St. Mary's in Cambridge. As given out and dispersed by some of St. John's college.

Chap. xiv. Cod. MS. in Biblioth. col. S. Trin. Cant.

I. A MAN may fal out of the favour of God, and in again; yea, quite out of the state of grace, being in.

I have not once named *justifying faith* in al my sermon.

II. A man may utterly and finally loose justifying faith.

I spake of the ordinary certainty, wherby a man ought not to be secure; and of none other, as it appears in my sermon.

III. A man cannot be sure of his salvation in this world: yea, it is high presumption to think he may be.

IV. Remission of sin in the Creed is general, not particular.

I said not so; but only, that S. Paul had a revelation.

V. If S. Paul was sure of his salvation, it was by revelation.

I did not say it was the *highest*, but only the first moving cause.

VI. Sin was the true, proper, and highest cause of reprobation.

I said not so, but that it was *inconsideratè dictum.*

VII. Beza blasphemed, who said, *Donum fidei a dono perseverantiæ separari non potest.*

I said, he blasphemed in saying, Our Saviour almost dispaired; and yet we ought not once to fear.

VIII. Calvin blasphemed most horribly who said, Christ in his agony almost dispaired of his salvation; and yet a man should not.

If I said any such thing, I submit my self willingly to any punishment that your Grace shal think meet to inflict upon me. But in truth, I said not one word to that purpose.

IX. Calvin, Beza, Luther, P. Martyr, and Junius, were false guides. And he mervailed that we taught not so; and bewailed the iniquity of our time, that we should be so misled by such young teachers.

Number XXIV.

Dr. Saravia's Censure of Barret's Retractation. 189

MAGNUM discrimen est inter *certitudinem* de salute, et *securitatem*. Certitudinem parit fides, securitatem præsumptio, et arrogantia. Chap. xiv. MS. Cod. col. S. Trin. Cant.

Virtutis fidei nomine, commendatur certitudo salutis; securitas in vitio est. Sicubi probati scriptores securitatis vocabulo usi sunt pro certitudine, catachresis est, aut quædam hyperbole. A securitate fideles ubique Dei verbum deterret; cum tamen certus esse velit, nec quicquam de salute dubitare. Hæc certitudo adversus omnes tentationes armat credentes in Christum, et in rebus desperatis ubique erigit. Securitas verò ignavos reddit, et in periculis hostibus prodit. Certus fidelis de suâ salute esse potest, qui de eâ non sit securus. Nam fides, quæ certitudinem salutis adfert, solicitos de eâ retinenda, non securos, reddit, salutis certitudo comitatur fidem; et tamdiu credentes in Christum de salute suâ sunt certi, quamdiu credunt.

Quædam est *temporaria* fides quæ tamen vera, et minimè simulata est, eosdemque operatur in homine effectus, quos *perpetua* fides, et ab eodem authore proficiscitur. Et sola duratione sua ab illâ differt. Verùm omnis temporaria fides non dicitur *simulata*, sicut nec omnis quæ perpetua est, vera. Accidit enim hypocritarum fidem, qui in extremo Ecclesiæ tempore permixti bonis latitant, perseverantem esse usque ad finem, et quorundam minimè fucatam, tantùm esse temporariam. Quamvis autem quorundam hypocritarum simulata fides tantum sit temporaria, absit ut propterea credatur esse quævis temporaria fides simulata. Est fides tam natura sua tum ab ipsius effectis, tum ab ipso authore, non a duratione definienda. Accidere autem potest, ut vera fides in quibusdam sit temporaria, et ea quæ est aut historica, aut simulata, in quibusdam perpetua. Quod fortè ne alicui videatur absurdum, argumenta subjiciam ex verbo Dei desumpta, quibus hæc docentur, si prius contra *securitatem* aliquid dixero.

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Quod apud orthodoxos minime est controversum, nempe fidem reddere credentes certos de suâ salute, probandum mihi non est: de securitate nostra est quæstio. Propter multas easque graves causas, securos Dominus nos esse prohibuit: et tum de nostrâ, tum de fratrum salute solicitos esse jussit: quando pluribus præceptis, et parabolis nos vigilare, et orare præcepit. Apud Lucam 18 cap. *Oportet*, inquit, *semper orare, et non fatigari, nec segnescere.* Et alio loco, *Cavete vobis, ne quando graventur corda vestra crapulâ, et ebrietate, et curis hujus vitæ: et repente vobis superveniat dies ille*, (nempe adventus Domini ad judicium.) *Nam ut laqueus invadet in omnes qui habitant in superficie terræ. Excubate igitur omni tempore, rogantes ut digni habeamini qui effugiatis ista omnia, quæ futura sunt, et consistatis coram filio hominis.*

Et apud Marcum, *Cavete, vigilate, et orate: nescitis enim, quando tempus illud sit futurum.* A parabolâ patris familias, qui nescit quando fur venturus sit, et perfossurus parietem; similiter et servorum, qui ignari quo tempore Dominus eorum venturus sit, expectant eum vigilantes; Dominus nos quoque vigilare vult. Accedit et alia parabola decem virginum, quarum quinque erant prudentes,
Matth. xxv. et quinque fatuæ: ex quibus concludit; *Vigilate, quia non scitis diem, neque horam, in quâ filius hominis veniet.* Hæc certè præcepta non sunt ejus qui velit nos esse securos.

190 Prima causa est, nè Satan nos securos opprimat, et in tentationem inducat. Undique hostibus, qui in exitium nostrum conjurarunt, cingimur; et nullas machinas non adhibent, ad expugnandam nostram fidem. Et inveniuntur Theologi, qui securos de salute nos esse volunt? Quomodo securos esse jubent de salute, quum undique hostes appetunt? *Non enim est nobis lucta adversús carnem, et sanguinem, sed adversus imperia, et potestates, adversus mundi dominos, et rectores tenebrarum hujus mundi, adversus spirituales malitias, quæ sunt in sublimi.* Adversus quas Paulus nos assumere vult universam Dei armaturam. Quomodo securi esse possunt quibus bellum perpe-

tuum est, cum hoste pervigili, cui mille sunt nomina, et mille nocendi artes?

Non ita Dominus, quando ait, *Orate et vigilate, ne intretis in tentationem.* Vitari tentatio sine oratione non potest. Ferre insultus dæmonum non valemus nisi divino fulciamur auxilio. Quamvis omnis nostra cura in Deum conjicienda, certique sumus Deo nos esse curæ, nihil tamen nostram solicitudinem, id remorari debet. Quærere et petere quæ daturus est Deus, et daturum se promisit, ipse præcepit.

Nemo certior de Dei patris benevolentiâ esse potest, quam fuit Dominus noster Jesus Christus: ipse tamen, ut tentatio instabat, ad orandum se cum Apostolis contulit. Petrus non ignorabat quanta sit Deo de nobis cura, quando nos adhortatur ad sobrietatem, et vigilias contra diaboli tentationem. *Sobrii estote,* (inquit) *et vigilate. Nam adversarius vester diabolus tanquam leo rugiens obambulat, quærens quem devoret. Cui resistite, fortes in fide.* David, securus in adulterium et parricidium, ut cætera, quæ in medio acciderunt, omittam, sui oblitus cecidit. Et Apostolus Petrus, nimium securus, turpiter lapsus est.

Altera causa quæ nos solicitos reddere debet, est incertus dies Domini adventus; ad quem ipse nos semper esse paratos præcipit, nè tanquam laqueus nobis superveniat, et eodem involvat, cum mundo, exitio.

Apostolus Paulus, qui de Dei erga se benevolentiâ minimè dubitabat, quàm fuerit a securitate alienus, ipsius verba in priore ad Corinthios testantur, quando ait, *Castigo corpus meum, et in servitutem redigo; nè quo modo, cum aliis prædicarim, ipse reprobus fiam:* et quando Philippenses similiter jubet, *cum timore et tremore suam ipsorum operari salutem,* certe securos esse noluit. Nemo certus de consequendo fine esse potest, qui de mediis quæ ad illum finem conducant, non est sollicitus. Vita æterna nobis promissa est, et eam quidem fide apprehendimus. Sed tenenda est via quæ eo ducit.

Quod quævis fides temporaria, non vera sed simulata dicitur, non satis intelligo, quid sit, nec quo sensu dicatur.

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Nam illi fidei nihil deesse videtur, in qua nihil præter perseverantiam requiritur; insimulata fides, ut quis maxime perseveraret, nunquam fructum veræ fidei consequeretur. Una tantum est vera fides qua Christo inserimur, et Spiritu renovamur. At temporaria fides quorundam eos Christo ita inserit et Spiritus sanctificationis facit participes, ut si perseverarent, vitam consequerentur æternam. Ergo illa fides vera est: si quotquot veram habent fidem perseveraturi sunt in ea usque ad finem, et nemo in medio cursu fidem est relicturus, vana est ad perseverantiam exhortatio, quam habere eum certum est, qui fidem amittere non potest.

191 Quando Dominus ærumnas recenset, quæ à fidelibus sunt perferendæ, nè frangantur animo tolerantiâ malorum, et semel pugnasse satis esse putent, nemini æternæ vitæ coronam promittit, nisi qui usque ad finem perseverarit.

Unde datur intelligi non omnes perseveraturos, qui aliquando benè inceperint.

Nota est parabola satoris, et seminis quod in petrosâ cecidit: quo significatur, qui semen verbi accipiunt cum gaudio, sed ortâ persecutione offenduntur, et verbum Dei abjiciunt.

Quod quidam volunt, vera fide illud verbum non fuisse susceptum, quomodo defendere possint, non video, cum illud verbum eosdem operatur effectus, in iis qui illud suscipiunt, quos in fidelibus, qui usque in finem perseverant.

Epistola ad Hebræos tribuit omnia, quæ sunt propria veræ fidei, huic temporariæ fidei: nempè quod verbo Dei illustretur, et gustum det doni cælestis boni Dei verbi, ac virtutum futuri sæculi, quòd faciat participes Spiritus Sancti, et per pœnitentiam hominem renovit: plura his non habent qui vera fide justificantur. Illa fides vera esse negari non potest, quâ per pœnitentiam homo renovetur, et fit particeps Spiritus Sancti; sed plerique qui habent fidem temporariam, per eam hæc omnia consequuntur: ergo eorum fidem veram esse oportet. Nam simulata, aut tantum *historica* fides, horum nihil in homine operari potest.

Quando Dominus bis apud Matthæum dixit, *Qui perse-*

verarit in finem, is salvus erit, idem est, ac si diceret, qui non perseverarit, non servabitur. Quod non intelligi potest de iis qui non eandem habent fidem non perseverantibus: in qua etiam si perseverarint, non servarentur. Una enim tantum est fides, quâ servantur credentes. Ut quis in historicâ fide, vel simulatâ maximè perseveret, (ut perseverare multos non est dubium) nihil ad salutem hoc juvaret. Quando Epistola ad Hebræos loquitur de totali apostasiâ a fide, nisi omnia illi tribuet, quæ veræ fidei sunt propria, et dantur vere credentibus, ridicula esset apostasia.

Quomodo enim a fide quæ habetur de Christo, defecisse dici potest, qui verè in eum nunquam credidit, sed tantum se credere simulavit? Quomodo dici potest, eum non posse denuo renovari per pœnitentiam, qui nunquam renovatus fuit? Scimus renovationem esse propriam fidei justificantis.

Historica fides neminem renovat, nec Spiritus Sancti participem facit. Gustasse donum cæleste dici non potest, cujus conscientia de peccatorum remissione parta morte Christi, persuasa non fuit. Gustus enim verbi Dei, et doni cælestis nullus habetur sine fide, et apprehensione promissionum Dei.

Quisquis per pœnitentiam renovatus est, et Spiritus Sancti factus est particeps, gustavitque donum cæleste, et bonum Dei verbum, et virtutes futuri seculi, verus Christianus est, et veram fidem habet: et regnum cælorum, et beatam immortalitatem esset accepturus, si perseveraret; sola defectio hic indicatur futura causa damnationis: nec ad salutem quicquam præter perseverantiam deest.

At fides vera non potest amitti. Sed hæc apertè adversantur. Fidem autem, quâ Christo inserimur, non posse amitti, a Paulo in 11. cap. ad Romanos apertius, quàm ut tergiversando negari possit, est expositum. Quid hoc sibi vult; *Tu fide stas, noli altum sapere*, vel ut alii habent, ne efferaris animo, *sed time*. Quem nobis hic timorem Paulus inculcat? Non ignoro, religiosum Dei cultum, timoris et reverentiæ nomine significare Hebræos. Sed metus, qui a Paulo hoc loco præcipitur, elationi animi, et fiduciæ secu-

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ritatique opponitur, quibus veluti frænum eo injicit Apostolus.

192 Timor est mali verisimilis futuri, non doloris expectatio, nisi obviam datur, quando potest. Malum profectò venturum Apostolus apertè denuntiat, totamque timoris naturam exprimit: nempè fractionem ab olivâ, cui fideles per fidem inseruntur: quæ quia Judæis propter incredulitatem accidit, eam timeri vult ab iis qui fide stabant, et per fidem, in locum Judæorum, Christo veræ olivæ erant insiti, nè et ipsi defringantur.

Hoc est malum quod a fidelibus timeri vult, et caveri divus Paulus. Vanus autem esset timor rei quæ non potest accidere. Fieri ergo potest, ut qui sunt Christo per fidem insiti in infidelitatem a fide, et a Christo excidant.

Sed audiamus Domini de hac eadem re sententiam, qui disertis verbis alia similitudine, nempè vitis, adhuc in terris agens; nam discipulis suis, idem quod per servum suum Paulum docuit. *Ego sum vitis vera*, (inquit,) *et Pater meus agricola est. Omnem palmitem in me non ferentem fructum, tollit eum: et omnem qui fert fructum, purgat eum, ut fructum plus adferat.* Hic palmites in Christo audimus frugiferos, et infrugiferos: quorum alii sunt purgandi, ut abundantiorem fructum ferant, alii tanquam otiosi, et inutiles abscindendi: nimirum qui in Christo non manent. Quod intelligi non potest de iis qui in Christo nunquam fuerunt.

In Christo autem fuisse, aut esse, nisi per fidem, nemo intelligitur. Sed in eo permaneri debet, qui fructum Deo ferre desiderat, sine quo fructum nullum ferre potest. *Manete in me*, (inquit Dominus,) *et ego in vobis. Nisi quis in me manserit, abjectus foras arescit. Et colligitur, et in ignem conjicitur.* Quæ, obsecro, est horum verborum vis, si quisquis fide Christo semel est insitus, perpetuo in eo est mansurus, nec periculum ullum est eis, qui semel in Christo verâ fide inseruntur; ab eo per incredulitatem discedendi? Eos Dominus adloquitur, qui verâ fide in eo

erant, et qui permansuri erant: quia tamen aliqui esse in Christo possunt præsenti fide qui permansuri non sunt, vult electos solicitos esse de perseverantiâ, et iis omnibus quibus haberi potest. Et idcirco hæc loquutus est.

Præterea, justum esse neminem sine fide certum est: justificamur fide quotquot justificamur. Quomodo enim avertere se justus a justitia sua potest? Justum autem posse a suâ justitiâ excidere, et facere iniquitatem, et ita mori, præter innumera testimonia verbi Dei, Ezechiel duobus in locis perspicuus est testis; tertio cap. 20. vers. et 18. cap. 24. Quæ autem Scriptura docet de fide, et ejus fructibus vera sunt omnia, quamdiu quis in fide perseverat. Quod perseverantiæ donum non omnibus fidelibus, sed solis electis datum esse, illud Servatoris nostri dictum, sæpius repetitum, *multi vocati, pauci electi*, satis evidenter probat.

Ad electionem, et obdurationem venio: de quâ inter Theologos non parva est controversia. Veritatem quisquis capere desiderat, intentionem Pauli sequi, et scopum quo collinavit tantùm spectare debet, nec inde animum aliorsum deflectere. Paulus in cap. 9. v..... ad Rom. nihil aliud docere vult, quam gratuitam Dei in eligendo, et justificando, gratiam: unde alienum est a Pauli intentione, quod pari ratione reprobare, et obdurare contenditur, cum diversissimæ sint causæ electionis, et reprobationis. Quod allegatur de Jacob et Esau gratuitam fuisse electionem Jacob tantum probat: nec ad probandum Esau ex pari causâ fuisse reprobatum quidquam valet. Nam electio fit ex massâ reprobâ, uterque Jacob et Esau erant filii iræ pari damnatione obnoxii, ex quâ communi damnatione Jacob Dei gratiâ servatus est, in quâ relictus fuit Esau. Quod neque boni quicquam, neque mali egisse dicuntur, similiter ad solam electionem referendum est; non autem ad conditionem corruptæ naturæ, in quâ ambo pares erant. Et sensus est nihil fuisse boni in Jacob plusquam in Esau, cur præferretur ei, nec plus mali in Esau quam in Jacob, cur non eligeretur. Sed in 193
utroque erat, quod jure Deus oderat, nempè peccatum;

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non enim Deus oderat hominem, creaturam suam; sed peccatum quod nec in Jacob amare potuit: et quod non dicitur odisse Jacob sed dilexisse, accidit, quia peccatum sustulit, et ejus loco gratiam suam substituit, ob quod Jacob dilexit.

Quam gratiam, cur non etiam Esau contulerit, fateor latere nec inquirendum esse. Tamen ut Aug. de Prædestin. et Grat. ait, non injustus est Deus, nec merita singulorum confusa quadam personarum acceptione taxat: nec infirmus, ut quicquid voluerit, non valuerit explicare. Et constat æternæ Dei sapientiæ consilii sui ratio, cur potius hujus misereatur, quam illius. *Miseretur itaque Deus cujus vult, et quem vult obdurat:* sed causa longè diversa. Merâ, et solâ gratuitâ gratiâ miseretur ejus, qui conditione suâ minimè dignus est, cujus misereatur, et obdurat cum qui maxime dignus est eâ obduratione, ut hic sit meritum, et illic nullum. Gratia sine ullo merito, electionis est causa. Justitia Dei vero, et peccati meritum est causa obdurationis. Quod ad similitudinem singuli attinet, non est necesse omni ex parte eam convenire cum re assimulatâ: satis est si congruat rei propositæ quam diximus, hoc est gratuitæ electioni. Mens Pauli fuit docere, hac similitudine gratiam electionis non esse debitam: sed non, reprobationis nullam esse culpam: communis massa in manu Dei tanquam figuli, unde quædam vasa iræ ad interitum, justa merces redditur: nec massæ perditæ ulla fit injuria. Sed quando ex eadem massa, contra ipsius naturam formantur vasa in honorem, sola illic Dei operatur gratia, nec ulla inveniri potest meriti causa. Indifferentia ad utrumque nulla potest inveniri in hujus materiæ natura, in quam justus et misericors Deus gratiam, aut justitiam suam exercet.

Contrarias siquis positiones istis meis constituat, inveniet eas (nisi vehementer fallor) nedum absurdas, sed in Deum, et Dei justitiam, et misericordiam impias. In neutram partem peccavit, qui ita peccati meritum, obdurationis veram, propriam, et justam causam esse, asseruit, ut solam Dei gratiam, causam esse electionis sanctorum, non negaverit.

Hæc et quæ a me superius disputata sunt, Patrum sen-

tentiis, et in primis Augustini, confirmanda sunt, ut appareat quæ a Bareto bene dicta sunt, malè fuisse retractata. Primo, quod securitatem attinet, in libro Confess. August. ita se habet: *Nemo securus esse debet, qui in ista vita quæ tota tentatio nominatur, versetur, ut qui fieri potuit ex deteriore melior, non fiat etiam ex meliore deterior: una spes, una fiducia, una firma promissio, misericordia tua.* Et inter sententias ejusdem Patris, ea quæ numero est septuagesima octava habet: *Sicut præpostera securitas in periculum impellit, ita ordinata solicitudo securitatem parit.* Idem Pater, recensens tentationes omnis generis quibus oppugnamur, concludit, esse difficile, *ut non ab aliqua quis feriatur. Ubi ergo securitas?* (inquit.) *Hic nusquam; in ista vita nusquam, nisi in solâ spe promissionum Dei.* Ibidem. *Cum illuc provenerimus,* (*cælum* intelligit,) *erit perfecta securitas, cum claudentur portæ, et consignabuntur vectes portarum Hierusalem; ibi verè plena jubilatio, et magnum gaudium.* Et Serm. 39. de verbis Domini; *Erunt autem tunc securi, qui modo non sunt securi: et tunc timebunt, qui modo timere nolunt.* Et in tractatu de Dono Perseverantiæ; *Deus autem melius indicavit, miscere quosdam non perseveraturos certo numero sanctorum suorum, ut quibus non expedit in hujus vitæ tentatione securitas, non possint esse securi.* Multos etiam à pernitiosa elatione reprimit, quod ait Apostolus; *Quapropter qui stat, videat ne cadat.* Idem Pater aperte perseverantiæ securitatem damnat, fidemque operantem per charitatem, et justificantem, *temporariam* adsumat dari, nec id leniter, ut aut aliud agenti, aut forte incogitanti excidisse, dici possit: sed totis libris de Dono Perseverantiæ, et de Corrept. et Grat. hoc accuratè disputat, et ex verbo Dei docet. Statim initio lib. de Perseverantia, ait, asserimus ergo Dei donum esse perseverantiam, quæ usque in finem perseveratur in Christo.

Finem autem dico quo vita ista finitur, in quâ tantum 194
modo periculum est, ne cadatur. Itaque utrùm quisquam hoc munus acceperit, quamdiu hanc vitam duxerit, incertum est. Et de Corrept. et Grat. *Si autem jam regeneratus, et justificatus, in malam vitam suâ voluntate relabitur,*

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certè iste non potest dicere, Non accepi: quia acceptam gratiam Dei suo in malum libero amisit arbitrio, &c. *an adhuc et ipse nolens concipi potest dicere, Quid ego feci, quia non accepi; quem constat accepisse, et sua culpa, quod acceperat, amisisse?*

In illâ disputatione constitutum ab Augustino discrimen, inter donum perseverantiæ, quod datum fuit primo parenti, et illud quod accipiunt per Dei gratiam prædestinati, lucem huic quæstioni potest adferre.

Primo. Itaque homini qui in eo bono, quo factus fuerat rectus, acceperat, posse non peccare, posse non mori, posse ipsum bonum non deserere; datum est adjutorium perseverantiæ, non quo fieret ut perseverarit, sed sine quo per liberum arbitrium perseverare non posset. Nunc vero sanctis, in regnum Dei per gratiam Dei prædestinatis, non tantum tale adjutorium perseverantiæ datur, sed tale ut eis perseverantia ipsa donetur. Non solum ut sine isto dono perseverantes esse non possint, verum etiam ut per hoc donum, non nisi perseverantes sint.

Non enim dixit, *Sine me nihil potestis facere;* verum etiam dixit, *Non vos me elegistis, sed ego elegi vos, et posui vos, ut eatis, et fructum adferatis, et fructus vester maneat:* quibus verbis non solum justitiam, verum etiam in illa perseverantiam se dedisse, monstravit. Et ibidem idem Pater ait, Fortissimo (intelligo Adamo) dimisit atque permisit facere quod vellet: infirmis servavit, ut ipso donante invictissime quod bonum est vellent, et hoc deserere invictissime nollent: dicente ergo Christo, *Rogavi pro te, ne deficiat fides tua,* intelligamus ei dictum, qui ædificatur supra *petram.* Hæc omnia Augustinus, quæ quamvis vera et certa sint, in eodem tractatu suam hanc orationem idem Pater prosequitur et subdit.

Quod autem etiam perseveraturis sanctis sic ista dicuntur, quasi eos perseveraturos habeatur in actum, non aliter hoc audire debent, quibus expedit non altum sapere, sed timere. Quis enim ex multitudine fidelium, quamdiu in hac mortalitate vivitur, in numero prædestinatorum se esse præsumat? Quod id occultum opus est, in hoc loco,

ubi cavenda est elatio, ut etiam per Satanæ angelum ne extolleretur, tantus colaphizaretur Apostolus. Hinc et Apostolis dicebatur, *si manseritis in me*, dicente illo qui illos utique sciebat esse mansuros. Et per Prophetam, *si volueritis et audiveritis me;* num sciret ipse in quibus operaretur et velle: et similia multa ita dicuntur propter hujus utilitatem secreti, ne forte quis extollatur, sed omnes etiam qui bene currunt, timeant; dum occultum est, quo perveniant. Propter hujus ergo utilitatem secreti, credendum est quosdam de filiis perditionis, non accepto dono perseverandi usque in finem, in fide, quæ per dilectionem operatur incipere vivere, et aliquando fideliter et juste vivere, et postea cadere: neque dehinc, vita priusquam hæc iis contingat auferri.

Quorum si nemini contigissent, tamdiu haberent homines istum saluberrimum timorem, in quo vitium elationis opprimitur, donec ad Christi gratiam, quâ piè vivitur, pervenirent, deinceps non securi nunquam se ab illo esse casuros. Quæ præsumptio in justo, tentationum loco, non expedit, ubi tanta est infirmitas, ut superbiam possit generare securitas. Et hæc ex August. pro *temporaria fide* justificante, et dono perseverantiæ adlegatæ sufficiant.

Ad *electionem*, et *reprobationem* veniamus. Electionis, et 195
prædestinationis nullam esse causam præter Dei gratuitam misericordiam, extra controversiam apud omnes orthodoxos semper fuit: de reprobatione alia est ratio: in qua ulterius progredi quam Augustinus ex verbo Dei docuit, non audeo. Aug. de hac re ad Sixtum Presbyterum, quod modestis quibusdam satisfacere debet, mihi scripsisse videtur. Quærimus (inquit) meritum obdurationis, et invenimus. Merito namque peccati universa massa damnata est: nec obdurat Deus impertiendo malitiam, sed non impertiendo misericordiam. Quibus enim non impertitur, nec digni sunt, nec merentur: ac potius ut non impertiatur hoc digni sunt, hoc merentur. Quærimus autem meritum misericordiæ, et non invenimus, quia nullum est, ne gratiâ evacuetur, si non gratia donatur, sed meritis redditur. Et postea ibidem, *ergo cujus vult miseretur, et quem vult ob-*

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durat. Hoc facit apud quem non est iniquitas. Miseretur gratuito dono, obdurat autem justissimo merito.

Et ibidem, *Homo, tu quis es qui respondeas Deo?* Nunquid dicit figmentum ei qui se finxit, *Quare me sic fecisti? An non habet potestatem figulus luti ex eadem massa utique* meritò recteque damnata, *facere aliud vas in honorem* indebitum, propter misericordiæ gratiam, aliud in contumeliam debitam, propter iræ justitiam, *ut notas faciat divitias gloriæ suæ in vasa misericordiæ*, sic ostendens quid eis largiatur, nam id supplicium recipient vasa iræ, quod pariter omnibus debebatur.

Et idem Pater ad Simplicianum, *Ergo cujus vult miseretur, et quem vult obdurat;* ita sententiæ superiori posse congruere, ut obduratio Dei sit nolle misereri, ut non ab illo erogetur aliquid quo sit homo deterior, sed quo sit melior non erogetur. Hæc certiùs, et tutiùs hac verborum forma mihi videntur dici, quàm Deum æterno suo decreto elegisse quosdam ad vitam æternam, et alios destinasse ad mortem æternam, nulla habita peccati ratione.

Malè *prædestinationem* meo judicio auspicamur ab æterno Dei decreto, præteritâ præscientiâ. Ita docti quidam viri de æterno illo Dei decreto scribunt, ac si ipsi divino inter fuissent consilio, quando Deus creare homines ab æterno constituebat. In eorum confutatione immorari hoc tempore nolo: sed alio ordine ad causas electionis, et reprobationis procedendum esse demonstrare, nempè a serie ordineque certo causarum quæ sub prima, et æterna illâ sunt, et ab illa aut aguntur, aut diriguntur.

Primus omnium rerum author Deus, ut bonitatem suam creaturis communicaret, eas creavit. Primaque ejus intentio fuit creaturæ bonum: nihil enim odit eorum quæ fecit. Angelos Deus creavit, et hominem, bonos, et eorum creationis finis quem intendebat, fuit æterna felicitas. Bonos namque creavit in bonum ipsis finem. Absurdum, et a bonitate summi boni alienum est, ante peccatum pœnam ordinare.

Prævidet tamen Deus mobilis, et inconstantis voluntatis

futuros tam angelos quam hominem, qui non starent in illa perfectione in qua eos crearet: itaque nec consecuturos illius perfectionis finem; sed quod in prorsus contrarium, quem suo peccato merebantur, ruerent, videlicet in æternam damnationem, quam ut justus judex erat illaturus.

Lapsum eorum impedire noluit, quia mala noverat se posse in bonum convertere, et majus quiddam judicaret esse, ex malis bona elicere, quam nè mala fierent impedire. Inde erga homines commiseratio: quorum alios servare visum est, alios propter impietatem damnare.

Simplex hæc mihi videtur veritas, ex ipsis rebus, ut acci- 196
derunt, desumpta. Ita August. docuit cum pluribus in locis, tum imprimis in responsione ad articulos ipsi falso tributos. Omnium quidem hominum (inquit) Deus creator est, sed nemo ab eo ideo creatus est, ut pereat. Quia alia causa est nascendi, et alia pereundi. Ut enim nascantur homines, est beneficium; ut autem pereant, prævaricationis est vitium. Et nimis ergo impius, et indoctus est, qui vitium naturæ non discernit ab authore naturæ, a quo prorsus alienum est, quicquid in unoquoque damnandum est.

Creantur enim ut sint homines, nec multiplicandis generationum successionibus opificium suum subtrahit: secundum consilium bonæ voluntatis suæ reparaturus in multis non quod ipse fecit. Hæc August. divina præscientia est tam eorum quæ futura sunt quam quæ accidere possint, respicitque contrarios eventus, eorumque fines in contingentibus, iisque omnibus quæ in hominum reliquit arbitrio, ut faciant aut non faciant, et cum nihil lateat divinam præscientiam in causis tantum innumeratur eorum, quæ Deus ipse facturus est. Præscit enim Deus tam aliena quam sua opera. Sunt in hoc mundo Dei opera, sunt et Diaboli, et membrorum ipsius, quæ omnia Deus præscivit futura.

Suorum operum quæ bona sunt, ipse est author, et alienorum quæ mala sunt, moderator, et rector, ut illa in bonum vertat, aut ex illis bona eliciat. Sed quia ruinam angelorum, et Adami lapsum prævidit, id nec angelis, nec homini

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peccandi ullam necessitatem attulit. Hinc Aug. nefas esse Deo ascribere causas minarum: qui etsi ex æternâ scientia præcognitum habet, quid uniuscujusque meritis retributurus sit; nemini tamen per hoc, quod falli non potest, aut necessitatem, aut voluntatem intulit delinquendi. Sed postea. Ad prævaricationem legis, ad neglectum religionis, ad corruptelam disciplinæ, ad defectionem fidei, ad perpetrationem qualiscunque peccati, nulla est omnino prædestinatio Dei: nec fieri potest, ut per quem a talibus malis surgitur, per eum in talia decidatur. Hæc Augustinus. Supplicii peccatis hominum, et angelorum ut justus judex Deus author est. Sed neminem prius reprobat, neminem prius obdurat, quam de peccato cognoscat: præcedit decretum scientia, ut judicium cognitio. Quamvis Dei voluntas, ipsiusque scientia, sint ipsa Dei———essentia, res divinas naturæ ordine, naturæ ordine apud homines, humano more loquimur. In sapiente voluntatem et electionem præcedit plena perfectaque scientia, et cum judicio, et ratione deliberatio. Quæ non in Deo perfectissima, et summa esse negari non possit: malè a voluntatis divinæ æterno decreto, meo judicio, incipitur. Siquis objiciat voluntatem divinam esse summam æquitatem, et proinde quæ voluntate suâ ab æterno decrevit, summâ æquitate id facere, fatebor quidem: sed voluntas non significat æquitatem. Quare qui hominibus loquuntur, si intelligi volunt, substituant pro voluntatis voce aliam, nempè æquitatem: et dicant ab æterno Deum summâ æquitate, et justo judicio obdurare, et reprobare decrevisse quos reprobat, quia reprobatione digni sunt, et summâ misericordiâ servare electos, qui naturâ suâ indigni sunt: verum loquetur, et quod omnes facile intelligent, nec erit qui contradicet. Et hæc hoc tempore sufficere poterant: sed quia August. ad Simp. in recantatione adlegatur, in compendium contracta quæ ibi disputantur fusius inferam.

August. respondens ad quæstiones Simplicii, An quemadmodum nullo merito Jacob fuit a Deo electus, etiam nullo merito improbatus fuit Esau. Probat primo electionis nulla merita præcessisse in Jacob: de Esau vero non ita absolute

respondere audet: et merito quidem, quia causa electionis nulla erat in Jacob, erat odii (quamvis communis) magna in Esau causa.

Interrogat igitur his verbis. An forte quemadmodum 197
illud de Jacob nullis meritis bonæ actionis dicitur, ita Esau nullis meritis malæ actionis odiosus? Et disputando inquirit, quo merito Esau odio haberetur, antequam nasceretur. Quod enim (inquit) fecit Deus in Jacob ea quæ diligeret, nulla quæstio est.

Si autem dicamus, fecisse quæ odisset, absurdum est, occurrente aliâ Scripturâ et dicente: *Neque enim odio habens aliquid constituisses, et nihil odisti horum quæ fecisti.* Ut eruat, quo sensu dictum fuit, *Jacob dilexi, Esau odio habui,* comparationes adfert creaturarum, quas alias Deus aliis prætulit, et majori gloria ornavit: et concludit. Sed ille omnia dilexit, quamvis excellentiæ diversis gradibus ordinata: quoniam vidit Deus quia omnia bona sunt cum dicto ejus instituta: ut autem odisset Esau nisi injustitiæ merito, injustum est. Et tandem post acrem disputationem Scripturæ hujus verum sensum eruit his verbis; *Ergo cujus vult miseretur, et quem vult obdurat,* ita sententiæ superiori posse congruere, ut obduratio Dei sit, nolle misereri: ut non ab illo irrogetur aliquid quo sit homo deterior, sed tantum quo melior fiat non erogetur.

Quod si fit nullâ distinctione meritorum, quis non erumpat in eam vocem quam sibi ipsi subjecit Apostolus, et quod *si fit* (inquit) nihil adfirmans. Tandem sequitur resolutio quæstionis. Sit igitur hoc fixum, atque immobile in mente sobriâ pietate, atque stabili fide, quod nulla iniquitas est apud Deum: atque ita tenacissimè firmissimeque credatur idipsum quod Deus cujus vult miseretur, et cujus vult non miseretur, esse alicujus occultæ, et humano modo investigabilis æquitatis, quæ et in ipsis rebus humanis terrenisque contractibus animadvertenda est. In quibus nisi supernæ justitiæ quædam impressa vestigia teneremus, nunquam in ipsum cubile, ac penetrale sanctissimum atque castissimum spiritualium præceptorum, nostra infirmitatis inhiaret intentio.

Beati qui esuriunt et sitiunt justitiam, quoniam ipsi sa-

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turabuntur. In istâ igitur siccitate vitæ, conditionisque mortalis, nisi aspergeretur desuper, velut tenuissimâ aurâ justitiæ quadam, citius aresceremus quam sitiremus. Quapropter cum dando, et accipiendo inter se hominum societas convertatur, dentur igitur, et accipiantur debita vel non debita, quis non videt iniquitatis argui neminem posse, qui quod sibi debetur exegerit, nec eum certe qui quod ei debetur donare voluerit. Hoc autem non est in eorum, qui debitores sunt, sed in ejus cui debetur, arbitrio.

Hæc imago, vel (ut supra dixi) vestigium negotiis hominum de fastigio summo æquitatis impressum est. Sunt igitur omnes homines, quandoquidem ut Apostolus ait, *in Adam omnes moriuntur*, a quo universum genus humanum origo ducitur offensionis Dei, una quædam massa peccati, supplicium debens divinæ summæque justitiæ : quod sive exigatur, sive donetur, nulla est iniquitas.

A quibus autem exigendum et quibus donandum sit, superbe indicant debitores : quemadmodum conducti ad illam vineam injuste indignati sunt, cum tantundem aliis donaretur, quantum illis redderetur, &c.

Sequitur et alia quæstio. Quo sensu Deus qui nihil odit eorum quæ fecit, dicatur odisse Esau. In quâ disputatione probat, omnem creaturam Dei esse bonum, et a Deo amari: nec Deum odisse quicquam nisi peccatum. Et concludit, non igitur odit Deus Esau hominem, sed odit Esau peccatorem.

198 Quod cum ita esse negari non possit, non absurde in Esau creditur odii fuisse causam peccatum, quum dilectionis nulla fuerit in Jacob nisi gratia, quæ non ipsius erat meriti, sed sublata causa odii communi peccato, tota divinæ gratiæ debebatur.

Quamobrem minus præcox fuit illa censura, quæ Baretum male recantare coegit, quæ bene dixerat.

Longe æquior Sanctus Pater Augustinus fuit in eos, qui per omnia in iis omnibus quæ prædestinationem electorum concernunt, cum eo non idem sentiebant: de quibus ad Hilarium in libro de Prædestinatione Sanctorum, hæc quæ hic subjicio, respondit.

Pervenerunt autem isti fratres nostri, pro quibus solicita

est pia charitas vestra, ut credant cum Ecclesia Christi, peccato primi hominis obnoxium nasci genus humanum, nec ab isto malo nisi per justitiam secundi hominis aliquem liberari.

Pervenerunt etiam, ut prævenire voluntates hominum Dei gratiâ fateantur: atque ut ad nullum opus bonum vel incipiendum vel perficiendum sibi quemquam sufficere posse consentiant: retenta ergo ista in quæ pervenerunt, plurimum eos a Pelagianorum errore discernunt.

Proinde si in eis ambulent, et orent eum qui dat intellectum, siquid de prædestinatione aliter sapiunt, ipse illis hoc quoque revelabit.

Fuerunt et sunt adhuc hodie in diversis Ecclesiis quamplures fideles Christi servi, bene de Ecclesiâ meriti, qui non idem de prædestinatione sentiunt, qui tamen se mutuâ charitate fuerunt amplexi nec ullius sese mutuo hereseos insimulant.

Interea tamen, nec convitia, nec maledicta Bareti, quæ in pios Christi servos Joan. Calvinum, et Petrum Martyrem, ac alios, acerbius visus est protulisse, ullo modo probo.

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Dr. Whitaker to the Archbishop; in favour of the proceedings of the Vice-Chancellor and Heads against Mr. Barret.

I HUMBLY desire your Grace to think, that in the cause of Mr. Barret, we have been only caried with desire to remove the great offence given by him in our University. The like wherof hath not been remembred in her Majesties reign. Chap. xv. Cod. MS. in Biblioth. coll. S. Trin. Cant.

And if this be suffered, it may be justly and probably feared, that greater differences in points of religion wil break forth hereafter, to the further disturbance of the Church.

It is no smal grief unto us al, to perceive your Grace to take in evil part what we have don only in this respect.

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The which we judge to be so necessary and urgent, that if we had been negligent therin, we might justly have occurred your Graces offence.

If in our maner of proceding we have not kept that course in every circumstance which your Grace requireth; wee humbly pray to impute it to any thing, rather than to want of duty in us toward your Grace, whom we do al both honour and love, as our consciences and continual cariage heretofore can testify.

How necessary a thing it is to have the government of the Vice-Chancellor and his assistants maintained, and what a perillous example this wilbe, to have one man of that condition thus to oppose himself against the same, and in his opposition, to find such encouragement from superior authority, I leave it to your Graces wisdom to consider.

For enjoyning him a recantation after so bad a sermon, altho' it had been somewhat with the greatest rigour; yet al circumstances considered, of these times, of his person, and maner of preaching; of the grief that the godly conceived, and encouragement of the evil disposed; I trust your Grace wil think we deserve no great blame.

Wee hope that our proceding hath been agreeable to statute; and that by statute we are authorized and enjoyned to do as much as we have done. And if herein we have been overseen, we desire to be enformed; and wil therupon acknowledg our error.

For the points of doctrin, we are fully persuaded that Mr. Barret hath taught untruth, if not against the Articles, yet against the religion of our Church, publicly received, and always held in her Majesties reign, and maintained in al sermons, disputations, and lectures.

Altho' these points were not concluded and defined by public authority, yet forasmuch as they have been hitherto evermore in our Church held, I refer it to your Graces wisdom to judge, how inconvenient and offensive it is to have the same now controwled in this maner; and what consequence may depend thereupon.

That true justifying faith cannot in any be utterly lost, whosoever hath once been endued therewith by the gift of God, is proved by the Scriptures plentifully, taught of the Fathers, and allowed by al Schoolmen and Popish writers. 200

That a true faithful Christian man ought to believe remission of his sins and his salvation; and that he is sure and certain therof, by infallible testimony of the Holy Ghost, is the doctrin of the Scriptures, as your Grace knoweth right wel; and is confirmed by the Fathers, and by sundry Schoolmen and Popish writers acknowledged.

Of predestination and reprobation, it is our part to speak advisedly. But that the only will of God is cause of reprobation, being taken, as it is, contrary to predestination, not only S. Paul and S. Augustin, but the best and learnedest Schoolmen, have largely and invincibly proved.

My humble suit to your Grace is, not to think unkindly of us that bear so dutifully affection to you: and not for Mr. Barrets sake, to cal our proceding and jurisdiction, or privileges, into question. Yea, and also to be pleased, that Mr. Barret may make further satisfaction, as the offence undoubtedly deserveth. For beside his other demeanour, to say, that his recantation he made was no recantation; and that he did nothing but read a writing made by others; and that it was not his own action, (as he hath said,) is such an apparent abuse, and so contrary to al Christianity and good order, that it can admit no defence; as taking away al form of oaths, subscriptions, and confessions. This I thought good privatly to offer to your Graces consideration; humbly praying you to accept it in good part, as coming from him, who would be loth to be taken in an undutiful action towards your Grace.

William Whitaker.

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Number XXVI.

201 *Dr. Peter Baro's orthodox explanation of the nine Propositions concluded upon at Lambeth: sent by him to the Archbishop.*

To the first article, *Deus ab æterno*, &c.

Explicatio orthodoxa.

Chap. xvii. MSS. Academic. penes me.

DEUS ab æterno omnes credentes prædestinavit ad vitam, et incredulos, atque in peccatis contumaces ad mortem reprobavit. Neque enim Deus simpliciter et absolutè Davidem et Petrum ad vitam prædestinavit, quemadmodum nec simpliciter et absolutè Saulum et Judam rejecit ad mortem: sed eosdem incredulos, rebelles, et in peccatis contumaces. *Qui non crediderit, condemnabitur.*

To the second article, *Causa movens aut efficiens*, &c.

Explicatio orthodoxa.

Causa movens aut efficiens prædestinationis credentium ad vitam, non est fides, non perseverantia, non bona opera, sed unica, et in omnes propensa Dei Opt. Max. misericors voluntas, seu εὐδοκία. Et tamen sine fide, perseverantia, bonis operibus, nullus ad cœlum aditus. Quæ licet causa non sint prædestinationis, media tamen sunt, quibus divinæ hujus ac beatæ prædestinationis participes reddimur.

To the third article, *Prædestinatorum præfinitus et certus*, &c.

Explicatio orthodoxa.

Prædestinatorum certus est numerus, scil. Deo; cui omnia in æternitate patent et præsentia sunt. Præfinitus, inquam, est eorum numerus in mente et intellectu divino. Licèt pro infinita sua et singulari erga universum genus humanum misericordia velit Deus omnes servari, ac prædestinationis participes esse: i. e. credere et ad agnitionem veritatis venire.

To the fourth article, *Qui non sunt prædestinati*, &c.

Explicatio orthodoxa.

Qui propter contumaciam in peccatis, et finalem incredulitatem divinæ prædestinationis non sunt participes, necessariò propter illa sua peccata, et incredulitatem damnabuntur. Necesse enim est, ut pereant, qui non credunt. Sed hæc necessitas non est simplex et absoluta; verum ex ista tantum hypothesi, quod se peccatis addicti, Evangelium non recipiant, vel receptum rejiciant.

To the fifth article, *Vera, viva, justificans fides*, &c.

Explicatio orthodoxa.

Spiritum Dei santificantem totum, totamque justificantem fidem amitti posse asserunt tres reformatarum Ecclesiarum *Confessiones:* viz. August. Bohem. Saxon. Huic sententiæ favet Anglicana; nullaque est quæ contradicat. In eadem etiam sententia sunt Patres universi, nullo eorum dempto. *Si susceperimus Christum in hospitio nostri pectoris* (inquit Hieron. ad Jovin. lib. ii.) *illinc fugamus Diabolum. Si peccaverimus, et per peccati januam ingressus* 202
fuerit Diabolus, protinus Christus recedit. Unde David post peccatum, Redde mihi, *ait,* lætitiam salutaris tui; *scil. quam peccando amiserit,* inquit Hieronymus. Amittitur ergo nonnunquam tota fides justificans. In electis tamen, ut rectè docet hic articulus, non amittitur finaliter. Imo quando in his ipsis electis scil. tota interdum amittitur, aliquo tamen sensu dici potest, non amitti totaliter: id est, non amitti in electis, quin per pœnitentiam postea restauretur. Cum contra reproborum sint aliqui, qui fidem amittant, non modo finaliter, sed etiam totaliter: id est, ita ut resipiscentiæ locum nullum relinquant. Ut sunt ii qui peccant contra Spiritum Sanctum: de quibus loquitur Apostolus ad Hebræos.

To the sixth article, *Homo verè fidelis*, &c.

Explicatio orthodoxa.

Qui fide justificante prædítus est, certus est per fidem de

BOOK IV.

remissione peccatorum suorum, et de vita æterna consequenda: non quidem absolutè, sed per Christum; ut dicitur in Articulo, i. e. Si Christo ad finem usque adhæserit.

To the seventh article, *Gratia salutaris*, &c.

Explicatio orthodoxa.

Gratia salutaris, qua quisque servari potest, si voluerit, i. e. Si ei ad finem usque auscultaverit, hæc, inquam, gratia, licèt singulis offeratur, non tamen singulis tribuitur, communicatur, conceditur. Quoniam multi oblatam gratiam respuunt; nec eam sibi tribui, communicari aut concedi patiuntur.

To the eighth article, *Nemo potest venire ad Christum*, &c.

Explicatio orthodoxa.

Non trahuntur omnes, ut veniant; i. e. Non trahuntur omnes, ita ut veniant. Nonnulli enim ei, ipsos vocanti, et per verbum trahenti, venire renuunt. Ac Spiritui Sancto resistunt, ut ait Stephanus. Quibus ipse veniendi necessitatem nullam imponit.

To the ninth article, *Non est positum in arbitrio*, &c.

Explicatio orthodoxa.

Non est positum in arbitrio, et potestate, scil. naturali. Nam ut servetur quis, opus est Christo, et supernaturali gratia.

Number XXVII.

Prima conventio Doctoris Barow coram Procancellario et Præfectis collegiorum, Januar. 17, 1595.

Chap. xviii. MSS. Academic. penes me.

MENSIS Januar. 17, 1595. In primo conventu Præfectorum collegiorum Dominus Procancellarius declaravit sibi nuper delatam esse querelam in scriptis quorundam Bachalaureorum in Theologia, contra Doctorem Barow, subscriptam ipsorum manibus, quam tunc eidem ostendebat: onerans eundem Doctorem Barow, doctrina sua in concione ad Clerum nuper habita: qua controversias pacatè conso-

pitas, contra pacem Academiæ, et mandatum Procancellarii collegis singulis significatum, ac propositiones per reverendissimos Patres approbatas, (quarum prius factus erat conscius,) resuscitavit. 203

Cui objectioni postquam negative respondisset, collatio longa habita est cum eo per Dominum Procancellarium Præfectos collegiorum domi presentes, sc. Doctores Barnwell, Clayton, Magistrum Chaderton, et Magistrum Overhall, Regium Professorem de prædicta concione, super delata in scriptis querela.

Quo facto, Dominus Procancellarius ita collegit, primum urgendo; deinde eundem Doctorem Barow onerando.

Urgebat (ex responsione quadam Doctoris Barow tunc distinguentis de verbis *ex æquo et perspicuè*, ex parte Dei gratiam omnibus esse oblatam ad vitam æternam sufficientem. Quæ verba in hanc sententiam idem D. Barow est interpretatus, sc. quoad homines universos, non quoad mensuram gratiæ datæ.

Nam aliis major gratia, aliis minor datur; aliis plura talenta, aliis pauciora. Hanc ejus assertionem et distinctionem gratiæ ad salutem oblatæ, non modo dictis propositionibus repugnare, sed etiam certissimæ experientiæ; quoniam extra Ecclesiam Turcæ et aliæ nationes barbaræ quamplurimæ, licet habeant externa dona, hujus vitæ communia a Deo concessa, tamen gratia, ad salutem sufficiente, omnino destituuntur.

Onerabat vero eundem D. Barow Dominus Procancellarius in hunc effectum. Mirum sibi videri, quæ illum causa commovisset, ut contra mandatum prædictum, literas et propositiones missas ab Archiepiscopo Cant. pacem Academiæ tam bene compositam (textu etiam scripturæ quem elegerat, aliam de officiis charitatis erga orphanos et viduas doctrinam suadente) has iterum controversias excitarit: et turbarum in Academia occasionem de novo præbuerit. Jacobi i. ver. 27.

Quibus D. Barow in hunc effectum. Ad prius quo urgebatur, nihil respondens, vel revocando, vel improbando

BOOK IV.

prædictam suam opinionem paulo ante ingenue erat professus.

Ad posterius in hanc sententiam ab eo est responsum. Nempe se doctrinâ Piscatoris in libello nuper edito adductum fuisse, ut contra quædam in isto libello posita doceret, non contra propositiones prædictas.

Cui Dominus Procancellarius. Illam causam non esse tanti, ad eum incitandum, quanti præcedentes prius commemoratæ, ad illum a doctrina in concione sua ad Clerum revocandum, ut omnino ab illis controversiis abstineret.

Tandem ita a Domino Procancellario conclusum est. Verum esse, fateor, te in illa tua ad Clerum concione a verbis et phrasibus in illis propositionibus expressis, aut tecte et caute abstinuisse: tamen utrum doctrinam illius propositionibus contrariam repugnantem tradideris; id jam restat, qua poterimus ratione inquirendum. Ita eo tempore est discessum.

Number XXVIII.

Dr. Baro's letter to the Lord Burghley, Chancellor of the University; by way of apology and appeal to him for his doctrines, for which he stood charged.

Chap. xviii. MSS. Burghlian.

AUDIO non sine magno animi dolore, Doctorem Goad tuæ hujus Academiæ Cancellarium, illustrissime Domine, meum nomen ad tuam Dominationem detulisse. Nec tamen satis intelligo quid de me potissimum queratur. Quæ in causa fuit, cur has ad tuam Dominationem scribere auderem. Quibus ingenuè et perspicuè explicarem, unde hanc adversus me occasionem arripuerit. In quo si quid à me peccatum sit, tuum judicium, tuamve censuram subire haud recusem. Ergo 12vo Januarii die, concionem ad Clerum ex professionis meæ instituto, pro hujus Academiæ more, habui. In qua inter alia multa, media fere concione, hæc tria dixi; (de quibus postea sum in jus à Domino Procancellario vocatus.)

204 I. Deum omnes in Adamo ad suam similitudinem, ac

proinde ad vitam æternam, creasse. A qua etiam neminem arceret, nisi propter peccatum. Ut docet Damasc. lib. ii. cap. 29. de Fid. Orthodoxâ.

II. Christum mortuum esse pro omnibus sufficienter; contra Johan. Piscatorem, hominem Germanum, qui id negat. Cujus sententiam Ecclesiæ Anglicanæ confessioni contrariam esse ostendi, ex Articulis hujus regni Parliamento approbatis, et regiæ Majestatis authoritate confirmatis, Articulo 31. Cujus verba recitavi.

III. Dei promissiones nobis in Christo factas, ut generaliter in sacris literis proponuntur, esse generaliter intelligendas; ut etiam habetur Articulo Anglicanæ confessionis 17.

Verum capita hæc tria quibusdam non placuerunt, qui jam persuadere conantur, Deum maximam hominum partem ad interitum de industriâ hactenus creasse, et quotidie creare; ut ex illorum perditione gloriam sibi acquirat. Et Christum nequaquam in omnibus mortuum esse; non quod multi beneficium illius respuant, sed quod ipse nolit suam illis mortem prodesse: propterea quod sint non ad salutem, ut alii, sed ad exitium creati. Eademque de causa nolunt promissiones esse generales, sed ad paucos illos solos eas extendunt, imo restringunt potius: quos etiam solos dicunt à Deo creatos esse, ut servarentur.

Hæc sunt de quibus hodiè accusor, et apud te, Vir clarissime, traducor. Quæ tamen ego ingenuè (ut me coram tanto, tamque illustri, docto et religioso viro loquentem decet) profiteor me dixisse; et vera adhuc, immo nostræ, hoc est, Christianæ, religionis fundamentum esse, credo. Sic verò de his mecum egit Dom. Procancellarius, ut non tam me falsum dixisse, quam contra novos novem ante aliquot septimanas huc missos articulos locutum esse urgeret. Quod ego sum inficiatus: nec ullo modo id me in animo habuisse dixi. Sed tantum evangelicam veritatem contra Johannem Piscatorem defendere: cujus libellum in multorum juvenum manibus esse noram: me itaque contra novos articulos non dixisse quicquam, nec voluisse.

Hæc ita gesta sunt. In quibus si quid peccarim, in tua

BOOK IV.

sum potestate, mi Domine: nec tuam, ut dixi, censuram recuso. Humiliter tamen, atque obnixè tuam Dominationem rogans atque obsecrans, idque per Deum immortalem, de cujus cultu agitur, ut ne quid de nobis, pro tua tam celebrata prudentia et humanitate statuere, sinistramve ullam opinionem concipere velit, priusquam de trium horum capitum veritate, pro tua singulari pietate et eruditione, diligenter etiam atque etiam inquisieris. Et si verum dixisse comperiar, quod spero, obstare velis, quo minus hic quicquam gravius contra me statuat Dom. Procancellarius. Equidem mihi gravissimum est, quod postquam in hac tua Academia totos jam 24 annos theologiam profitear, idque minimo 20 nempe librarum stipendio contentus; quum jam senio confectus, aliquam meorum laborum compensationem, abs te hujus Academiæ Cancellario, viro literato, literatorumque amante et patrono, expectarem, contra eveniat, ut apud Dignitatem tuam de fama laborem. Tuum tamen tam prudens, solidumque in rebus difficilibus et abstrusis judicium, me consolatur: sperantem tuam Excellentiam mihi alteram aurem reservaturam. In quo tanquam in portu acquiescens, Deum Opt. Max. precor, ut te, illustrissime Domine, diu huic Ecclesiæ, regno, Academiæ, nobisque superstitem conservet, et protegat. Cantab. Feb. 9, 1595.

Tuæ Dominationis et Dignitatis
observantissimus,
P. Baro.

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Number XXIX.

Interrogationes, desumptæ et conceptæ partim ex schedula quadam per Magistrum Ashton et alios, contra Doctorem Baro, exhibit. et partim ex accusatione eorundem verbo tenus, ad investigandam veritatem de concione ejusdem.

Chap. xviii. MSS. Academ.

AN 12mo Januarii, 1595, Dr. Barow in concione sua ad Clerum habita in templo beatæ Mariæ docuerit Deum omnes et singulos absoluta voluntate ad vitam æternam

creasse; et voluntatem Dei Creatoris ac etiam Redemptoris fuisse, ut omnes et singuli ad vitam æternam pervenirent; vel in hanc sententiam.

2. Item, Utrum docuerit, eisdem die et loco, omnes et singulos antecedente et primaria voluntate Deum creasse ad vitam æternam, neminemque eadem voluntate rejecisse aut reprobasse ad mortem, sed tantum voluntate consequente: et Deum neminem unquam voluisse rejicere antequam ipse ab eodem rejectus fuerit; vel in hanc sententiam.

3. Item, Utrum et docuerit, ex parte Dei gratiam sufficientem datam, et illam concessam esse omnibus et singulis qua possunt servari, si voluerint illa gratia recte uti, et si per eos non stet, et seipsos non excludant; vel saltem in hanc sententiam.

4. Item, Utrum et docuerit, beneficium mortis Christi seu promissionem de semine mulieris contrituro caput serpentis, promiscuè spectare ad omnes et singulos, non magis ad Abelum quam ad Cainum; nec magis ad Jacobum quam ad Esauum; nec magis ad Petrum quam ad Judam; vel in hanc sententiam.

5. Item, Utrum et docuerit, omnes Dei promissiones ad salutem factas, esse communicatas omnibus et singulis, ita ut per eas possint servari si velint, et si seipsos non excludunt; vel in hanc sententiam.

6. Item, Utrum et docuerit, mortis Christi beneficium omnibus et singulis ex æquo et promiscuè ex parte Dei concedi ac tribui, nisi quis velit seipsum ab hoc beneficio excludere sua propria culpa; vel in hanc sententiam.

7. Item, Utrum et aliquid præterea memineris eum docuisse de prædictis articulis, aut eorum aliquo, vel contraria articulis in propositionibus nuper receptis, aut eorum alicui, vel ejusdem sensui.

Collatione facta, concordat cum originali copia.

Ita testor Thomas Smith, Notarius Publicus.

BOOK IV.

Number XXX.

206 *The Archbishop to the Bishops of his province; for fasting and prayer, upon occasion of a dearth.*

Chap. xx. Regist. Whitgift.

AFTER my harty commendations to your Lordship. Among all our sins whereby we have provoked God justly to plague us with this dearth and scarcity, it is to be thought, that none have been more forcible thereunto, than our excess and riot in diet, and the wastful consuming of his good creatures. For the supply of which present scarcity towards the poorer sort, the Queen's Majesty hath every way a most princely care and gracious tender affection: not only by causing the markets to be duly served, and great store of grain to be procured from foreign parts freely without paying any custom; but also, as a most vertuous and godly Sovereign, daily studieth to qualify the mischief by taking away the cause of it. Therefore for redress of that abuse, and for prevention of further punishment by like scarcity, her Majesty hath straitly commanded me to signify by my letters, that it is her Highness's express pleasure and absolute commandment, that publick prayers according to the Book of Common Prayer, in every several parish church or chapel, be on all Wednesdays and Fridays hereafter devoutly used and diligently frequented. That such as be of better ability do, in the fear of God, use a greater moderation than heretofore in their diet. But namely, that by none, of degrees whatsoever, any flesh be dressed or eaten in such days as by law stand already prohibited, other than such as by reason of infirmity be lawfully thereunto licenced: and that not only on Fridays and other days by law already appointed for fasting-days, no suppers at all be provided or taken by any, either for themselves or household; but also that every one, not letted by grievous weakness, do abstain altogether on each Wednesday at night. To the intent, that that which is by forbearance of that meal, and at other meals by abstinency from all superfluous fare, fruitfully spared, may presently, especially by the wealthier sort, be charitably converted to the

relief and comfort of the poor and needy. So as notice thereof may be taken, according to her Majesty's gracious expectation at the hands of all such her dutiful subjects, as be respective of her royal commandments.

In this behalf your Lordship is also to give your special order, that the collections for the poor in every parish may be carefully made; and in respect of the great want, charitably by those who be of good hability encreased; and duly seasonably bestowed for the succour of the most distressed.

It is further likewise required by her Majesty, that those which have housholds do not for sparing discharge any of their houshold, to shift for themselves; nor themselves to sojourn from their usual habitation. And because the example of ecclesiastical persons may induce men as well as their teaching, in this behalf, all such as have benefices must be enjoined to reside on their livings, to keep hospitality, and to relieve their neighbours. And such as have pluralities, in conscience ought to do the like by their farmers, and such as rent their livings at their hands. But there must a very careful eye be carried by the Ministers and Churchwardens in every parish, or by such charitable discrete men as they shall nominate and appoint, unto all taverns, inns, and victualling houses; how both the keepers of them, with their housholds, and also their guests and resorters to their houses, do observe these her Majesty's commandments.

Now for the better publishing of her Majesty's gracious pleasure in the premises, your Lordship must take precise order, that every Minister in the diocese do diligently recommend the observation of them unto the people in their several charges; and also do from time to time, in their sermons and exhortations, earnestly and pithily exhort and stir up every of them to fervent prayer, both publick and private; to abstinence, fasting, and true humiliation; to forbear all excess; to relieve the poor and needy, by good 207
house-keeping, by setting them on work, and by other deeds of alms and brotherly compassion.

And considering the most princely and gracious care her Majesty hath for their relief, and that all good means

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should be used for the succour and help of them in these times of dearth, the people must be duly taught to endure this scarcity with patience; and especially to beware, how they give ear to any persuasions or practices of discontented and idle brains, to move them to repine or swerve from the humble duties of good subjects, to the further offence of God, and discontenting of her Majesty, that hath so tender a care of their welfare.

And for that her Majesty would be informed, how duly these orders shall be observed, as her special care is they should, your Lordship is therefore to procure a certificate to be made unto you monthly, by every the Ministers and Churchwardens; containing as well the names of disobedient delinquents in any the premisses, as of those well-disposed persons, who have had a dutiful regard of her Majesty's commandment, and a charitable compassion for the relief of the poor. To the intent, that once every quarter, the said certificates being transmitted over to me, I may satisfy her Majesty's gracious expectation, touching the success and fruit arising by these godly orders.

But your Lordship is to foresee and give special direction, that the prescript of these letters be in every several parish observed, without calling or suffering persons of other parishes to assemble themselves, as some heretofore offensively of their own heads have attempted, under colour of general fasting: and thus I commit your Lordship to God's holy protection. From Lambeth, the 27th of December, 1596.

Your Lordship's loving brother in Christ,

Jo. Cantuar.

Number XXXI.

A petition of the Students of Christ church, Oxon, for their commons; against the Dean and Chapter.

Chap. xx. MSS. Academic.

MOST humbly beseech your Honour, the Students of Christ church in Oxford, that whereas their gracious Founder, of famous memorie, King Henry the VIIIth, allowed

them bread and drinke every meale without stinte, besides a portion of meate; which allowance they enjoyed ever since the first erection of the colledge untill the last yeare: at which time the Dean and Canons obtained of the most reverend Father in God, the Lord Archbishop of Canterbury his Grace, the right honourable Sir John Puckeringe, Knight, Lord Keeper of the Privie Seale, and the Lord of Buckhurste, their honourable Chancellour, that the said Students should from that time be rated at a fit allowance of bread, beinge to every one nine ounces at a meale, besides their ordinarie allowance of meate, which ever they had; as also the whole benefite which ariseth to the colledge by improvement of rents, as in their honourable orders it is specified; and that allowance so by them ordered to continue, untill such time as her Majestie should, either by visitation or statutes hereafter to be made, otherwise declare her Highness pleasure. Which order the Dean and Canons do now disannull, by tyinge the Students to a weekely pension of money, no way competent for their maintenance, nor answerable to the King's foresaid allowance: that it would please your Honour of your wonted clemencie always shewed unto poor scholars, to stand with them for the continuance of the said order, untill such time as the state of the colledge may be looked into by visitation, to be procured by especiall commission from her Ma- 208
jesty, our Foundress. And if the visitors by such authority appointed shall find the colledge so farre decayed, that it cannot bear that allowance, as it hath been pleaded, that then such remedie may be had, as they in wisdom shall think convenient. So shall the poor Students, as their dutie bindeth them, continually pray for the increase of your Honour.

BOOK IV.

[Number XXXI. A.]

A demonstration of the state of Eastbridge Hospital in Canterbury; partly drawn up and given in to Archbishop Whitgift by Mr. G. Hayes; and partly extracted by the Reverend Mr. Nic. Battely, deceased, from original papers belonging to that hospital.

Anno Dom. 1545. Chartul. S. Tho. Eastbridg.

THE Parliament granted King Henry VIII. the disposal of all colleges, chauntries, and hospitals, the demesnes, salaries, and stipends thereunto belonging. The King's Majesty, by virtue of the said act, directed his commission (ann. 37. Hen. VIII.) to Thomas Archbishop of Canterbury, Henry Lord Bishop of Rochester, Thomas Cheney, John Baker, Thomas Moyl, Knights, and others: who certified the revenue of the hospital to be 43*l.* 12*s.* 5*d. ob.* per ann. *viz.*

Rents of assize issuing out of divers lands and tenements	9	13	0*ob.*
Rents of divers lands and tenements in the city of Cant. by lease	6	10	8
Rents of divers lands and tenements in other places, by lease	5	13	6
Eleven acres of land in St. Laurence Field, &c.	1	6	8
The firm and scite of the manor of Blene and Hoth Court	10	13	4
The tiths of the Archbishop's manor of Westgate	9	0	0
The tiths of the land in the parish of St. Nich. Harboldown	0	13	4
The tiths of lands called Foxhole, in SS. Cosm. and Damian. in Le Blene	0	2	0

At which time divers lands were concealed from the said Commissioners: of which the chief are two hundred acres of land, and twenty shillings rent in Reculver, Hern, Whistaple, Swalcliff, and Chistelet. All which lands are at this day in the possession of Sir J. Oxendene; the licence of *mortmain* granted in 29 Edward III. under the Great

Seal, being still in the hospital chest. All which lands are at this day alienated from the hospital. BOOK IV.

King Edward VI. passed away by his grant some of the hospital lands above-named; *viz.* to Mr. Hyde and to Mr. Cartwright, one tenement joining to the hospital: also, one message, garden, and tenement, called Clavering Hospital: also, one tenement and garden over against the hospital. Anno Dom. 1548.

And to Mr. Gryvil and Mr. Gyll divers lands in Beaksborn, called the Chauntry Land; among which is one parcel of land, containing ten acres, called Wopping; which was no part of the chauntry lands, but did belong to the Master of the hospital, to whom it was given by Richard de Beck, 7mo Edward II.

All these are alienated from the hospital to this day.

Archbishop Parker, taking into consideration the state of this hospital, the building thereof being much ruinated, and the revenues being not employed to their proper uses, did review the former ordinances made by Archbishop Stratford: and finding that the said ordinances were not capable of being any longer observed, he made new statutes for the better government of the said hospital: which were contrived with excellent prudence, charity, and piety. For his first care was, to keep as nigh to the former ordinances (as to the first design of the foundation) as possibly he could. For this end, he converted the charity given to poor pilgrims (who now ceased to come) unto sick and wounded soldiers; such as in time of war should pass through that city; and to poor inhabitants of the city in time of peace, when no soldiers passed by. Anno Dom. 1569. 209

He appointed a Master to govern the said hospital: one of such skill and knowledge as to be able to preserve the rights and revenues of the hospital from being lost: one of such fidelity and dignity, as to be above the mean and sordid baseness of defrauding the poor of their intended charity. He bound the Master by an oath faithfully to observe these statutes, and constantly to give an account to the Lord Archbishop for the time being, how he disposed of the said rents to the use of the poor. He assigned a

BOOK IV.

small stipend to the said Master, allowing him no more than six pounds thirteen shillings and four pence, and twelve loads of wood, per annum: and after charges of necessary repairs and other expences were deducted, the overplus of the revenue was to be bestowed bountifully among the poor. He expresly provides, that either his Commissary General, or his Suffragan Bishop, were, before all others, to be entrusted with this government; it seeming a good preferment to be enabled to do good, and to be entrusted with the rights of the poor.

The money given to the poor at the hospital door was to be distributed every Friday, at nine o'clock; but if it happened to be a festival, at twelve o'clock. Because, I suppose, that publick prayer began at nine o'clock at every festival; and he would not have the poor waiting at the door of the hospital, at such times as they were to be attending upon divine worship.

He excluded the Brothers and Sisters of the hospital of Harboldown, and St. John's in Canterbury, from the abovesaid charities; *because*, (saith he,) *they are otherwise partakers of our charity*.

His next care was to promote the good education of children; on whom also he did vouchsafe to cast his fatherly eye. He provided that twenty poor children should be taught in the said hospital, *liberè et gratis*, to read, write, and sing. He furnished them by the hands of his successors, even to this day, with pen, ink, paper, and books; and he gives a competent salary to the teacher of the children: and to train them up in a way of devotion, he further commands, that three days in the week these scholars should, in the hospital chapel, sing with a loud voice the Litany, or some other solemn and short prayers, as the Master shall appoint.

He proceeds to a higher concern for the advancement of learning, by promoting the maintenance of Students in the University of Cambridge; and to this end, he appoints two exhibitions out of the hospital rents, for two Scholars in Corpus Christi college. And these were so large and boun-

tiful, as at that time to be a sufficient competency to maintain them; which we may collect from Bishop Latymer's sermons before King Edward VI. And this kind of benefaction was then most necessary, when after a long night of ignorance and superstition, learning began to dawn forth, and truth began to shine bright in this nation.

In general, by these statutes we may see an excellent spirit of wisdom, piety, and charity, to have been in this most reverend Prelate. Ever since his days, this hospital hath been governed by good and worthy Masters; men of good note in the Church.

Queen Elizabeth, in the 18th year of her reign, directed her commission to Sir James Hales, Sir George Hart, Knights, Mr. Wooton, and others, to enquire and certify the estate of this hospital; who accordingly certified into her Majesty's Court of Exchequer, that the hospital was ruinated; let out into tenements for yearly rent; without Master or Brethren; the beds sold, &c. Anno Dom. 1575.

Whereupon she gave the same in fee-farm to John Farneham, one of her Gentlemen Pensioners, in consideration of service, by her letters patents under her Great Seal, dated June the 20th, anno R. R. 18°. Her title was grounded upon the dissolution of the corporation of the said Master and Brethren of the said hospital; and become her right by escheat, relinquishment, or otherwise. 210

Archbishop Whitgift reviewed the former ordinance, and settled the government of the hospital, as it is at this day; and procured an act of Parliament to confirm the same: whereby at this day twenty poor aged people are relieved; a free school for twenty poor children maintained; and two exhibitions for two Scholars in Cambridge. All which are contrived with such prudence, that they do not seem capable of being at this day amended; unless we could wish, Anno Dom. 1584.

I. That all fines, and the overplus of rents, be either expended in repairs, or in beautifying the hospital, or in extraordinary bounties to the poor. That hereby may be good security against the incroachments of the Master for the future. Who otherwise may have an opportunity of

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making this to be a place of doing good more to himself than to the poor. I mention this, because I can name the Master, and prove it under his own hand, in a letter to the Lord Archbishop, who made a great profit to himself, by putting the fine-money and overplus of the rent into his own pocket; and who did fell and cut down much timber, as I am informed, to the value of above seventy pounds in two years.

II. That the poor Brethren and Sisters should be widowers and widows, not bringing a charge of children into the house; and such as do not receive collection from the parish. For it is usual to get such into these places as are mentioned by the overseers of the poor. And so the benefit is not so much to a poor man or woman, as to some one parish or other.

III. That In-Brothers and Sisters should be obliged to dwell in their lodgings of the hospital; at present there being some rooms that stand empty, and decay thereby, the poor not dwelling in them.

[Number XXXI. B.]

Mr. Hayes's case, as to his right to the said hospital; propounded by himself to Archbishop Whitgift.

Chartular. St. Tho. Eastbridg.

THE Queen's Majesty directed her commission (anno 18. Elizab.) to Sir James Hales, Sir George Harte, Knights, Mr. Wooton, and others, to enquire and certify the estate of Eastbridge hospital in Canterbury; who accordingly certified into her Majesty's Court of Exchequer, that the same hospital house stood then ruinated; and neither Master nor Brethren were there resiant or dwelling, of long time: the house let out into tenements for yearly rents: the beds that were wont to be there, to harbour and lodge poor people resorting thither, were gone and sold, contrary to the old order and foundation of the same: and the said hospital to be relinquished, and concealed from her Majesty.

Whereupon she gave the same in fee-farm to John Farneham, one of her Gentlemen Pensioners, in consider-

ation of service. As may appear by her letters patents under the Great Seal, dated the 20th day of June, anno R. R. prædict. 18. The which said John, in consideration of money owing by him to G. Hayes, and more paying in hand, to the value of five hundred and fifty pounds, sold and conveyed her said Majesties gift of the said hospital unto him, in as large and ample manner and form, as her Highness had given and granted the same to him, the said John Farncham. 211

For proof of her Majesty's title thus much.

The said hospital was founded a corporation of Master and Brethren, for the maintenance of *pauperum peregrinorum illuc confluentium*, with lodging, fire, bread, and drink, for a night, two, or three. Wherein was maintained, in the said hospital house, eight beds furnished in one chamber for men; and four beds in another chamber for women; *ut patet de recordo in registro Archiep. Cantuar. in fol.* 238. All which beds, at the time of the visitation of the said Commissioners, were sold and gone: and no hospitality or relief for the poor: neither Master nor Brethren there resyant or dwelling, as aforesaid, &c.

The question is now, Whether is or was the said corporation dissolved, or not, at the time of the certificate of her said Majesty's Commissioners, when there was neither Master or Brethren there resyant or dwelling; but the hospital house let out into tenements for yearly rent, as aforesaid? If the corporation be dissolved, whether the Queen's Majesty hath not title to the lands given to the body incorporate, as well by escheat, relinquishment, or otherwise, by the statutes of the realm?

The words in the saving of the statute in anno 27. R. R. Eliz.

"Saving to all and every person and persons, other "than to the Queen's Majesty, her heirs and successors, "and such as shall or may claim from or by her Highness, "and others than the donors and founders," &c.

This is a true copy exam. per me
Nic. Battely.

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[Number XXXI. C.]

The modern good estate of the said hospital of East-bridge, anno 1690, *is as followeth.*

THE reserved rents of the mannour of Blean, or Hoath Court, leased for three lives, per annum	48	0	0
Rents upon leases of several lands and tenements, &c. - - - - - -	23	14	8
Rent for the vault per ann. not by lease - -	1	6	8
Quit rents of the mannour of Hoath Court, about	4	0	0
Dry rents and rents of assize, about - -	2	5	0
Rent in the Isle of Thanet, about - - -	1	0	0
	80	6	4
Besides 24 loads of wood, and the Master's house, at per ann. - - - - -	6	0	0

212 *Expences yearly out of the same.*

To ten In-Brothers and Sisters	28	0	0	49	8	8
To ten Out-Brothers and Sisters	13	6	8			
To the School-master - -	6	2	0			
To the children for books, about	2	0	0			
To Bennet college - - - - -				6	13	4
To the King for tenths and acquit.	2	8	$2\frac{1}{2}$	10	0	$2\frac{1}{2}$
For pension and acquit. -	7	12	0			
The Master's salary - - - - -				6	13	4
				72	15	$6\frac{1}{2}$

There remains towards the repairs and other extraordinary expences incident to the same, almost 8*l.* a year, besides fines at the renewing of leases. These being honestly managed, the Master may be enabled in one and twenty years to do considerable benefactions to the edifices and to the poor. Of which the present Master [a] will make a tryal, if he lives so long.

[a] Dr. Battely, Archdeacon of Canterbury.

Number XXXII.

Monsieur Castol to the Archbishop; concerning the state of affairs abroad, and of the French and Spaniard.

AMPLISSIME ac reverendissime Domine. In Polonia per legatos fœderis cum Imperatore leges excutiuntur, sed quas Germanos ægrè accepturos existimo. "I. Austria- "cam videlicet familiam deinceps nulla ratione Regum "electionem interturbaturam. II. Imperatorem et imperii "proceres immensa tributa et vectigalia, quæ ab ea gente "irrogantur, per totam Germaniam imminuturos. III. Li- "voniam et Prussiam nunquam repetituros, verum jus "quod obtendunt, ejuraturos. IV. Austriaci sanguinis "Principes litem de Mossoliæ ducatu aliisque ditionibus "Polonis cessuros. V. Societatem Germanos cum Mosco- "vita nequaquam coituros. VI. Polonici regni transfugas "et perduelles nullis opibus ab illis juvando. VII. Bruns- "wici Ducem publica authoritate adigendum, ne Reginæ "[a] Sophiæ attingat hæreditatem quæ ad Polonos pertinet. "VIII. Dandum Poloniæ Regis maribus filiis ad ecclesias- "tica munia et beneficia, in omnibus imperii provinciis, "aditum. IX. Imperatorem a Rege catholico [b] Annæ "Stephani Batorei viduæ omnes reditus ducatuum Barri "et Soræ in regno Neapolitano impetraturum. X. Germa- "nos arces aut munimenta in finibus Poloniæ non structu- "ros. XI. Cæsarem tormenta, machinas, et quæ ad belli "usum necessaria sunt adversus Turcas, cum tertia impen- "sarum parte, suppeditaturum. XII. Alios principes Chri- "stianos huic adscribendos fœderi perpetuo, et quod morte "Imperatoris et Regis minimè solvi poterit. XIII. Men- "tionem de pace cum Mahumetanis nunquam injiciendam "inconsultis et invitis Polonis. XIV. Valachiam, Molda- "viam, et omnem Ponti Euxini tractum potestati Polonorum

Chap. xx. Epist. Whitg. penes me.

[a] Filia fuit Sigismundi Poloniæ Regis; nupsitque Henrico juniori Duci Brunswicensi; ex quo nullos suscepit liberos.

[b] Filia etiam fuit Sigismundi Poloniæ Regis, et Bonæ filiæ Joannis Galeacii, Ducis Mediolanensis, a patruo Lodovico Sfortia dejecti, et Isabellæ filiæ Alphonsi II. Regis Neapoleos: et in dotem ab avo habuit duos istos ducatus. Atque hinc controversia nascitur.

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" permittendum, ubi cum hosti communi debellatum fuerit.
" Alia vero regna Pontificis Romani arbitrio distribuenda.
" XV. Hæc capita quarto post mense sancienda, et ad ob-
" servationem illorum, Imperatorem, Germaniæ proceres,
" Hungariæ et Bohemiæ ordines, fidem jurejurando suam
" alligaturos, et Romanum Episcopum publicarum tabu-
213 " larum custodem futurum. XVI. Cæsarem *denique* ut
" præstet securitatem, Vratislaviam cum tota Silesia præ-
" ter jurisdictionem, Polonis condonaturum."

Ex istis autem liquet quantam in suis deliberationibus Sarmatæ, qui multis populis barbarorum instar sunt, prudentiam adhibeant. De Gallo nihil audivi præterquam quod inter eum et Hispanum libera et otiosa est armorum cessatio: ita ut hic, securus ab illo magno impetu, Hollandos nunc adoriatur. Nonnulli referunt Ducem Buillonæum Esdanum concessisse: ac credo augustissimæ Reginæ amicitiam, non factis sed eventis tantum, ab ejusmodi sociis ponderari: si quis huc cum mandatis trajicit, secundus erit, qui specie tenus illam colet, et vestra explorabit consilia, quasi vero unus ad nectendas artes non sufficeret. Vale, amplissime ac reverendissime Præsul. Deus Opt. Max. Dignitatem tuam ab omni malo custodiat, omnique bonorum genere magis et magis locupletet. Datum Londini 24 die Julii 1596.

Amplitudini tuæ addictissimus,
Joannes Castollus.

Number XXXIII.

An apologie of H. Broughton to my Lorde Treasorer: touching a speach uttered unto his Lordship by my Lord of C.

Chap. xxi. Epist. literator. et doct. pen. me.

MY duetie remembred to your Lordship. I receyved your Lordships aunswere: why your Lordships performed not your promise sent unto me by Maister D. Cæsar: for that the Archbishop saide: that I had written a booke slaunderous and erroneous. I must needes confesse, that your exception is sage: whyle the Archbishop is not

forced to alter his wordes. And I might be holden dull, if demaunding recompence of twentie yeares travels, with the principall approbation of the best, and the best learned in the realme, I would take my Lordes Graces speaches for a gracious recompence and full rewarde: or thinke such dealings honorable: or my Lorde to be such a scholler, that one of my leasure in studie should yeeld unto. Wherefore I must crave leave to call his Grace into judgment. And your Honours shall be my judges: I will seeke no better. Thus I pleade: his Grace denyed to my agent, that he saide, *I had written erroneous:* but said, that he sayde, *I had written to the Queene untruely.* So, if his Grace doeth not stande to his wordes, his testimonie cannot in anie honour be my hindrance. Judge, I pray your Lordship, whether I say true, or not. Nowe it remayneth, I aunswere for my writing to the Queene of his Graces determination, whether I can defend my selfe or not. First, This I hope will appear by writing: that I sent unto his Lordship (by Maister Mulcaster) a full declaration of the controversie betwixt D. R.[a] and my self: that, determining upon so much, the strife he should end. I layd downe the controversies in three sequeles. The first was: Whether Judah was under Persia but an hundred and thirtie yeares, or two hundred yeres. Now therein seeing D. R. and I agreed that after Zorobabel built the temple: the time to Alexander was not an hundred years: so the time between Babels fall and the temple building was to be tried: whether it were two and thirty yeares, or 107 yeares, by both falling to newe particulars. That, I clear by nyne and fortie thousand argumentes at once. For 49000 returned, Esr. ii. and in Esra vi. the returned built up the temple. D. R. must prove howe manie died: and if the greater halfe wholly had died, or almost all, yet two only, Zorobabel and Josuah, had bene enough for me: both named returners and alive all the while. Thus much his Grace (I trowe) could not chuse but see. And all Oxford will graunt that thus much overturneth my adversarie. So reason would warrant me to write of his

[a] Reynolds.

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Grace, that which he could not omit without eternal shame. I hope her Majesty will not be angry with me,

214 for speaking, the best of her Archbishop, that which common entendement would require anie man to holde true. By this your temporall Honours will see, that his spirituall Grace disgraceth not me: but his owne Grace, the Queenes Majesty, and the Majesty of God's grace: not acknowledging his goodness; which in 49000 Jewes lives, in fewe wordes burnes all heathen libraries. Although his Grace having receyved fifty thousand poundes of the Church, at the least, knew not of himselfe, howe the onely life of Zorobabel, or the only of Josuah, of Nehemiah, of Ezra, of Mardochai, of Aggai, of Zachari, overthrewe all heathen study-glory.

Yet when he sawe that D. R. marked the sequell schollerlike: and was driven to invent newe opinions against all the world and reason: I hope his Grace will not pleade that he sawe not which way the determination must passe: or seeing, contemned his dutie. And if he doe, I trust her Majestie will tell him what it is to holde the place of an Archbishop, unable to perform that which is easie: that a Bacheler of Art would confidently judge. And thus I hope your Lordships will not thinke it reason that I should lose all that recompence, which for twentie years paynes, by the Queenes Honour of governement, should befal me: for commending one of your owne ordre, and neare the Churche: that he was not farre from God herein: but sharp eyed, true, learned, and honourable. Truely, Syr, I thought it no great paynes to affoord a man of high place good wordes, with all advantage of warrant: for honouring such as her Majestie preferred, tendering the quietness of the Church. Although in my conscience I knewe, that his Grace had but small skill in difficulties about the Bible: as he sheweth in complayning that he was commended. To countenance our common weale, I spoke that which his bodily eyes sawe: though not the eyes of his minde: and had three reporters from him, to speake that commendation, which of humanitie I would affoord him. My ad-

versarie D. R. affoordeth me as good wordes as anie can bestowe on anie scholler. And if I did not confesse, that he was the first, that hazarded his fame to trye: whether the millions of Christians, that followed Jewes on the captivitie bookes, all saving Daniel: and on him followed heathen unreconciliable: must burne all their agreement, either with the Jewes, or all their innumerable writings after the heathen; if I give not him this high commendation, I should doe him injurie. All must confesse, that he shewed learning that carried an whole University sixe yeares after him: and an Archbishop to deny his owne decree: and to be guiltie of denying all ancient grauntes: and common reason, for the space of the temples building, a most famous divinitie storie: and such as, of which a Church man could not with any honour be ignorant. The Pericles that so could lighten, thunder, and mingle Græcia, as D. R. did, must needes be holden Pericles, and full of glorie. As I must affoorde him all good speach: so I would have affoorded unto his Grace: but that he doeth plague me for commending his learning, care of trueth, and regard of his honour.

The second sequel, which followed upon the first: or, as the user will, the first upon it, was for Daniel's chronicle of four hundred and ninetie yeres. Thus it fasteneth unto the other:

If it be but foure hundred and ninety yeares from Daniel's prayer unto our Lordes death,

Judah was but an hundred and thirtie yeares under Persia: for we both agree upon three hundred and sixtie yeares following, unto the eighteenth yere of Tiberius;

But, onely four hundred and ninetie yeres are from Daniel's prayer at the evening offring unto our Lord's death: *Therefore,*

Juda was under Persia but an hundred and thirtie yeares.

My adversarie denied the assumption: for which I will 215
tell a storie howe he was brought to graunt it. A modest,

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learned man of Oxford came to me with one Edward Phynees, a servant of my honorable patrone, whose rest is in paradise, Henry the late Earle of Huntingdon: whom my pen must honour, for that he was so deepe for judgment in the chiefe heads of all the Bible, so syncere for affection in the heart of religion, that he is not like ever to be soone overmatched by any. But for my syllogisme. A good scholar of Oxford came to be resolved in our controversie: telling that he marked how I used mine adversarie reverentlie, and was no worse used by him. But sayde to the matter: Our D. hath turned all against you: all of all degrees. Then sayde I, Your selfe shall turne to me against them presently: if you will speake your conscience. God forbid, (quoth he,) that I should strive against the light. Then I: *Marke the narration whence my demaunde shall arise. Daniel prayeth at three a clocke: or evening offering, the nineth hour by Jewes, Acts* iv. *when Gabriel fleeth to him: and promiseth to teach him wisedome: and sayth: Seaventie seavens of yeares áre pared out to bring in eternall redemption.* Hereupon followeth my demaunde: *Speake before God and his angels, whence must the beginning be taken: Doubtless, sayeth he, from Daniels prayer: And where endeth it? Doubtless at our Lordes death. Then, saide I, Commende me to your D. and tell him from me, that when he hath weyghed all, he will judge that hee may as well denie all religion, as make any other limits.* Upon his speach, the learned man sayth in his lecture booke: that by all arguments of Scripture, the time should begin from the first of Darius or Cyrus, as I taught: and *septuaginta septimanis completis excisus est Christus.* So your Lordship seeth that he graunteth my assumption: and the whole controversie. My Lords Grace hath seene his words in print: and may not pleade ignorance. Now the D. consydering what an infinite company of bookes he should condemne, all the West for two thousand yeares records: and not seeing the millions of Jewes, and all heathen in particulars to be with me, and all the Bibles frame:

sought a kinde of cure, and sayde: *Restat confirmandum, per septuaginta septimanas non posse intelligi annos quadringentos nonaginta: sed alium aliquem numerum incertum per certum.* Upon this cometh a third sequell, which I was to fall into by the provocation of D. R. his deniall. A chayning of yeares is from Adam to Cyrus: which sheweth that hence it must be propre: as no wise goldsmith beginneth a chaine but to make it up: and breaking off in any one place, disannulleth the use of all. Then said he: *The time is not chayned thither, from Adams fall to Babels.* Upon that I wrote a book, proving this proposition: *He that denieth the Scripture to have a certen recorde of times from the creation to the redemption, may as well denie that the sunne hath brightness.* And that booke I sent unto his Grace, which he sawe, and sent me great thankes: with a promise that whatsoever his worde could further me, I should have it.

Now your Lordship knoweth that dutie required him to determine, whether I was deceyved or not: and to have taught me better, if I had bene deceyved. And his Grace knoweth that I stande resolute to defende this: that if he saye it is erroneous, in an epistle to the Queene, he sawe alreadie a sharpe replie. In which epistle I write these wordes: *If it please your Majestie to cause both your Archbishops and both Universities to determine: I dare assure your Highness, that while the sunne shineth they will not denie, (seeing what proofe is brought,) that God hath recorded the time certeinlie from the creation to the redemption.* Here had been a place for his Grace to have foyled me for ever: if by learning hee could shewe that I was deceyved. But he sawe, that D. R. whom Oxford men thinke to be not his Graces inferiour, (further comparison I will relinquish,) would full quicklie have tryed, if learning could overmatch the proposition set down. Thus by the matter your Lordship seeth what his Grace must buckle with. And whether he forgate his determination, or three commenders of his learned censure and honourable speeches towards me, mistoke him: that little forceth, for

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the Queene to knowe: neyther is it traversable or matteriall for our state. This must be holden the substance of the
216 matter: whether, if his Grace deny that God hath recorded in Scripture the worldes age from the creation to the redemption: I may justly accuse him, for concluding against Christ his religion. For every man's heart can tell, it is good that the recorde were in Scripture. And seeing nothing is omitted in the perfect booke which is good to be there. His Grace should think that there it was: though he cannot tell where. And although it is made easie nowe to see, and soone learned: yet to cleare every parcell, it was not an easie matter. And I knowe a king, to whom if I had dedicated such a travel, I should have had thankes: and so I should have had of the Queene, but that the Lord Chauncelour and his Grace both disgraced the worke whiche neither understoode.

Your Lordship promised me that you would cause his Grace to determine the controversie betwixt D. R. and my selfe. But I was sure that you would be deceyved. Likewise my Lord Keeper having seene the marrowe of all that which concerneth the bones of this strife brought into an easie view and tast, promised that he also would cause his Grace to determine. And I knew that he should be no lesse deceyved. The matter was brought past all colour of strife: and confirmed for every joint by ancient unbeleeving Jewes testimonie, which unvincible truth forced to affoord. And nowe if it please your Lordships both to urge his Grace to laye downe in writing the contradictorie to anie position of mine: then, if I make it not as easie for him to reackon all the tyles in Lambeth, every one, as the erroures which will followe his Graces assertion; your Lordshippes may affirme, that I have not dew regard of trueth: and but small grace in study to marke sequelles and appendances in absurdities. This kinde of speach his Grace must warrant: by a narration whiche may here be fitt. M. Mulcaster, who caryed the declaration of D. R. his cause and mine, with a full anatomy of the matter: returned to the right worshipful M. Peter Os-

borne this message: how his Grace had determined: with what honourable speaches: how he said: that he knew my studies earnest, then twentie yeares, in a path untroden since the Apostles time: to cleare the narrations of Scripture: by time, place, and person: wherein he that crossed me once, would be caught in a thousand absurdities. They live yet in the familie who heard him speake, and doe all this well remember. Thus I thought good to defende his Graces censure even against himself: as in my epistle to the Queene I wrote, as fearing no replier: that I refused not to abide all disgrace, if my paynes were not found true for the story, and profitable for the quietness of the realme. And thus your Honour may see, that I have not written of his Grace slaunderous, nor of the trueth erroneous. Neither did I commend him to countenance my cause, by his authoritie in learning: but to countenaunce her Majesties high preferred scholler: and to shew that I envied not his lot, though he hath receyved fiftie thousand pounde more then one, whom fiftie thousand thinke to have honored the original truth, more then he with bare Latin studies could doe possiblie.

Your Lordships to command,
Hugh Broughton.

Number XXXIV. 217

Mr. Broughton to the Lord Treasurer; relating injuries pretended to be done by the Archbishop to him, as the reason of his departure beyond sea.

WHEREAS I am straungely injuried (Right Honourable) by the Archbishop of C. his Grace, I thought good to leave our soyle, and all promised preferment, rather than put upp such injuries done to God's word at his hand; for which, being uppon departure, I thought good to shew unto your Lordship, for the rest of your place, the tenor of the matter; and to require (as occasion shall serve) your honourable justice in the cause. I made a sermon lately upon a sermon which St. Paul made at Antioch, shewing the abridge-

Chap. xxi. Chart. et epist. literator. pen. me.

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ment of all the Bible, Acts xiii. verse 18—22. All this I contrived unto the honour of hir Majesty's government, that by hir long peace, what leasure in study might performe, our nation brought about, to see that Scripture clear; where other nations hitherto have thought the text corrupted, and putting all their studies together, came short of that which artificers (as I shewed) knew in St. Paul's age. Hereupon I encouraged the hearers to hope well in rumours of warrs, seeing God a giver of victory, according as we honour his word. Now in aunswering contrary arguments, I remembred what some bragged of my L. of Canterbury, as dashing all the frame of my studie and skill in the present matter, and in the rest of the Bible, and specially a letter written to the Vicechancellor of Oxford, Dr. Lilly, that my Lord was not of my mynd for the whole book of the Concent, and would tell the Queen so. Dr. Lilly wrote unto me, that my Lord Grace's Chaplain wrote unto Dr. R. thus, as from his Lord's meaning. I aunswered him, that belike the Chaplain mistoke my Lord Grace, for it could not stand with his honourable wisdom, to thrust himself into new opinions, whereas the old had errors in number as the sand. Wherein yet Dr. R. had two thousand years patronage, but all vayne; and I shewed moreover, that I wrote of my L. commendation for his Honour, not for any care that I had of his help; but judged it an humaine part to countenance hir Majesty's preferred men, and to shew vacuity of all envy. On Wednesday after that Sunday, one sent from my Lord Grace cometh to feele me in this sort: his name, forsooth, was one Thwaitz of Northampton: he had not seene me of a long time: he would desire me to come to the Saracenes Head without Newgate: the man to whom he spake, knew that straungers require no such service at my hand; and soon after met with him againe, and found him a Somner. But delivered me no message from him, bycause I bad him meddle nothing with him, but lett him wayt my leasure, yf he had business with me. So he returned no more unto me; but the Somner bad an other man tell his narrand; who checked him

Dr. Reynolds.

for his request of service: whereupon he summoned him, and he appeared, but was told that he was not summoned by their commandment that were judges; upon this, I gessing what the Somners business was, or could be with any colour of reason, wrote unto my Lord Grace what I wrote of him in mine epistle, and what I spake thereupon; and would appeale unto your Lordships, bycause the cause was his owne, and he knew matters of grief betwixt Dr. Cosyn and my self; how his brother misused me most deadly in his owne hearing: how his Nash gentleman skoffed my Ebrew studies: how Hutton, his preferred, raged and rayled uppon my Daniel. And I wrote underneath, (bycause *Your Graces to commaund*, was against myne argument,) Your συστρατιώτης, shewing that I fought for him, and not against him, yf he could see it. Against all this his Grace tooke more displeasure then I thought a gentleman of honourable place would have done. And specially the terme συστρατιώτης maketh much adoe over all the Court; that I should wryte so to a Councellor. I hope your Honour would call it no reproach to be called my συστρατιώτης in divinity travels: in which studies the terme for Christians is used: and I trust her Majesty rejoyceth to bee συστρατιώτης with my defence of hir religion. And if his Grace had known any one word in the Greek, as a perfect linguist should, he would have kept that word as a perpetual testimony for all our nation that favour my studies, how I vouchsafed to call him a fellow in judgment, for religion. Your Lordship, who hide your skyll in Greek, inferior to none in substance, knoweth full well, that the divine terme συστρατιώτης importeth no whit inferiority or superiority in pollicy: though some about his Grace make her Majesty's subjects ridiculous in quarrels that way. Bishop Elmer would for such a scholerlike terme have aunswered as once, in Dr. Cesar's hearing, he aunswered to a certayne gentleman uppon the Archbishop's persecution of the first edition of the Concent, when I went to Germany. A gentleman said, All be against Mr. Broughton. Then said Bishop Elmer; *One scholar of right judgment will*

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prove all adversaries foolish. Thus in effect, but more for me then I may report. O that my Lord Grace had binn a Grecian: he would not so have persecuted my studies. Yet truly I rejoyce to have so high a personage to work uppon, for the good and honour of hir Majesty's government: being one not entangled in the cares of life, but free to chose my place, whence I may worck uppon his Grace. Since mine appeale unto your Lordship, (which indeed was no appeale, since I was not cyted to any judgment,) he sent a pursuivant and a constable to an house, where (I think) he knew I was not. To try whether his fame or mine could better abide rumors among the learned gentry of England, and the singers of Paules, Paules Κρῆτες ἀεὶ ψεῦσται, κακὰ θηρία, γαστέρες ἀργαὶ, triumph, what a gracious pranck his Grace hath wrought to drive me away: little foreseeing what a print may cause their tongues to quaver to more use in the choir service towards God. And my Lord Grace's factors noyse, that they would give one thousand pounds to find me out. Your Lordship shall have my heart to aunswer them thus: that yf I were preferred by hir Majesty, as your Lordships all testified of my studies desert, I would plead with them: but being judged my Lord Grace's superior in study, knowen that he scant knoweth Greke and Hebrew from other languages, and knowing that none *without my heifar* knowe of all the judges, how St. Paul gave the *judges* four hundred and fifty yere, a matter hid one thousand five hundred years; I might think that I deserved better reverence, then to be coursed as a felon or a traytor. When I dare adventure that I spake more for the Queen's honour in learning, then his Grace wil see this twenty years. Dr. Seravia told Mr. David Roberts, that he could not beat into my Lord Grace's head so much as the conceit of my studies: but he would lerne of me, and so bring my Lord Grace to be gracious to my studies.

Dr. Saravia.

Further commendations of his Grace's skill, Dr. Cosyn uttered uppon an old occasion, whence all this strife groweth in greene blades from old roots. A certain table of

mine, titled, *A Sinay Sight*, was in such request, that a printer, unknowen to me, sought my Lord Graces favour to have a lycence to print it. I hereupon sent one to Dr. Cosyn, (as uncertayne of the truth, and loth to trouble my Lords Grace in a matter uncertayne,) requesting him to shew my Lord's Grace, that I would not have that table printed: being shorter than any could make use of, without an interpreter. Then said Dr. Cosyn, "Thy master "need to take no thought for his table: my Lords Grace "will not give six points for it: neither hath he any hast "to have any thing of his in print; and one so *base* as thy "master might have come himself to my Lord Grace." Now all the leerned through Christendome, (some of all sorts,) Jewes, Papists, Protestants, give my poor self to understand hither to England, that they thinck that paynes an honour to the Bible. And I dare undertake therein to prove many high points therein hid from my Lord, of which yf he make not more accompt then of six points, Dr. Cosyn will have his Grace's religion not to be worth six points. When I had caught Dr. Cosyn and his Grace in this gates grace for religion, I wrote unto them both two epistles in Greke, bycause my reproofs might be closer: reproving Dr. Cosyns, and requesting my Lord's Grace to teach him that by heroaldy I was Dr. Cosyns better, and so would chalenge my place. Uppon this letter I was cyted before the high Commissioners, and Dr. Cosyn accused me 219
of calling him an Atheist in theis words: speaking how by his owne conscience the table was of some works, Οὐ φημί σε ταῦτα μυδάζεσθαι· ἄθεος γὰρ ἂν εἴης. *I cannot think yow, D. Cosyn, lothe theis things; for so yow should be an Atheist.* The ἐνθύμημα is full thus:

A Sinai Sight. Dr. Cosyn.

> *None but an Atheist wold despise theis matters:*
> *You, D. Cosyn, are not an Atheist.*
> *Therfore you despise not theis things.*

The syllogisme standing thus, Dr. Cosyn labored exceedingly to prove himself an Atheist; while I defended, that my speach of him was no slaunder: and he would

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needs conclude the contradictory, and I was half content. So now my Lord doth persecute me, because I say that he is lerned, judged rightly, spake to three lerned lernedly, saw all auncient errors, &c. Theis two Doctors, that love to wrapp themselves in bad opinions, would much have trobled matters not known to them. If in my text my Lord's Grace tell how St. Paul might give the judges y. 450 for 339, and not *plough with mine heifer*, I am content to be holden wyd of all judgment in scholars matters. Moreover, to check Dr. Cosyn, I enlarged the table to make a Concent of all studies with divinity: and uppon the former grudge, my Lord G. did disgrace it to the Queen: and his factors triumphed when D. R. did confute it: and to stop his mouth I chose him umpire: yet M. Mulcaster brought from him a full determination to M. Peter Osborne, with most high approbation of my studies: one Mr. Dye told what his Grace said to him: that I deserved as good a place as he himself had: but it was better be a cobler then the best scholar in England: also he told the same party how he motioned that your Lordships would procure me 100*l.* yerely out of the Exchequer, until I were provided for: but, as many told me, when it came to full tryall, I find him no such man. But he first spake theis wordes of me. Mr. Br. if he were preferred as I am, would not be ruled by any king in the world. Such a grace his G. thought he had in obedience: I would he shewed the like in ruling.

After him, D. Bancroft spake the very same censure: as being a good φυσιογνώμων, in what kind of men best obedience would be found: that if I had an high place, no king could rule me. Theis pranks might make any refuse their judgment: and appeale unto your Lordshipps. Modest men would have been my συστρατιῶται, not ἑτερογοῦντες, unprovoken by me: but used in all humanity. A preacher told my L. G. to his contentment, in sylence, at the lest, that my paines quieted the overjealous more then his jaylorshipps. D. Holland spake among many to the same effect. And truly I laboured very much to have my L. G. well thought of, suppressing my private injuries, for com-

mon quietness. Yet still my Lord crossed my studies to his own danger. He said, the Queen will not have a new translation of the Bible: not seeing how he defended atheismes many, and errors, disgracing all truth above measure. Moreover when I commented uppon Daniel, and finished the Chaldy part, and offred to dedycate it unto himself, and he thanked me, he wrote unto the stationers to stay: two wardeins went to him; to them he said, he had never seen it: though I myself layd it in his hands, and had speech with his G. uppon it. He was moved uppon my request by D. Seravia to be better advised, because I would not be hindred from God's service in opening Daniel. Then said his G. as Dr. Seravia must justify, it were better the truth of Daniel were hid, then antiquity so disgraced, as in Mr. Br. preface. Afterward he said that he might of himself stay any thing. Which speach when I commended, how therby if he could prove that, we should be more famous then Rome for a greater man, but doubted whether that aunswer would be digested of the learned. The next tyme he said, how he himself was appointed an allower: yet referred all to my L. who promised my self to allow, and soone sent word he had no leasure for one sheet, but warranted the stationers to print what I would, and after all crosseth all, and yet nothing, for this I might require a more honourable judgment. Besides, his G. is famous in print, for offring an eternall disgrace to all the Greek Testament: con- 220
trary to all my poore judgment. A certayne preacher holding himself over-ruled, said this: Your Gr. should not be καταϰυριεύων. Then replied his G. Καταϰυριεύω signifieth *to rule tyrannically.* Then the preacher, Καταϰυρίευε ἐν μέσῳ τῶν ἐχθρῶν is spoken of Christ, Psa. cx. and I hope your Grace holdeth Christ no tyrant. And do yow allow the Septuagint. Septuagintaes Greke, saith his G. So that so far as the seventy Greke passeth curraunt, Christ should be, &c. (my penn trembleth at his Graces graceles speach.) The Holy Ghost alloweth the cx. Psalme, once, twice, thrice, yea double so often in the very Septuagintaes syllables: and the very body of the New Testament is made from it: that all the

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hard phrases must be opened by it, and all the ordinary speeches appear taken from it, to the very syllables. Whereupon my L. G. is in print for disgracing all the New Testament to the eternall shame of all our nation. Therefore I was loth that he should troble his head above all the skill that he hath, to the disgrace of hir Majesties government. For theis griefs of his, and imperfections, I choose your Lordships judges; yf I had him lawfully sommoned, and above all, I choose to lyve rather out of the realme, then under him: thus much in breif; yf it please God, your Lordship shall see in print a larger defence from other countries: where God shall seat me. I hear that in mine absence your Lordship doth defend me, so that this twenty yeres I found your Lordship of another graces spirit then his G. I hope that all of G. will where my cause is knowen, under me defend themselves. I humbly desire you let his G. have a coppy of this. I desire his good, not his infamy, and honour him, but not *ultra aras*.

Your Lordshipps to commaund,

H. Broughton.

Number XXXV.

Reasons for the bill against the Commissaries Courts every three weeks.

Chap. xxii. Cott. Libr. Cleopatra, f. 2.

ABUSES greatly grievous to the Queen's Majesties subjects, offered daily to them by the inferior ecclesiastical officers, *viz.* by the Archdeacons, Officials, Commissaries, and their Registers, by colour of their ecclesiastical jurisdictions; to the infinite trouble and great charge of every particular diocess within this realm.

It is first to be observed, that every diocese is divided into several archdeaconries; and that every archdeaconry containeth a great many of several parishes; and that every of their Archdeacons hath his Officer [Official] and Register.

I. The said inferior officers (by usurpation of late times) do keep every three weeks many courts, in divers and sun-

dry places, within every of their several archdeaconries. Whereas by the ancient custom, the said Archdeacons or their Officials should visit, or keep their Courts, or *Generals*, as they call them, but twice every year, *viz.* at Easter and Michaelmas. At which times they did in times past punish matters of less importance (then detected) by their own authority. And such causes as were of greater weight, they did make known to the Bishop or his Vicar General. Who thereupon did call the said offenders to the Bishops Consistory, (kept ever in one settled place,) there to be censured. Or else the Vicar General did twice every year in proper person ride into the archdeaconry. Or in his absence did then depute one grave Minister or more, (who 221 were called *correctores morum*, &c.) for the hearing and determining of the same offences there presented. Who did render account of such his doings unto the Bishop, or to the Vicar General.

II. *Item*, They cite or warn the questmen or sidemen and church-wardens of every of the parishes aforesaid, being two in number for the most part in every parish, (and these commonly poor artificers, or other labouring men,) every three weeks, to appear before them at their said usurped three week courts: which are kept sometimes in one place of their archdeaconry, and sometimes in another. And so by colour of these courts there is every three weeks, so called thither before them, a great company of people. At every of which courts if they do not appear, they are then presently excommunicate by the said inferior officers: and shall not be absolved by them, untill they do pay 2*s.* and 4*d.* for their fees therunto belonging. And if they do appear there, then it costs them 12*d.* between them two, for their dinners. Besides the loss of their several days works, and their travel and trouble in going and coming. Which only charge of diet, needless to spend, doth amount in the whole dioces, after a 12*d.* a parish, to a great sum of money. Besides, there is as much lost in the said poor men's labours: and besides also their charges and labour in travelling by the way.

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III. *Item*, At their said running and three week usurped courts, so kept by the said inferior officers, as abovesaid, the said questmen and sidemen are usually warned and admonished by them, to make general inquisition of offences, more in supposal than in truth committed, for the greedy lucre and gain of such inferior officers; who most commonly have no just or necessary cause so to enquire, either generally or particularly, by the summoning of every such questman or sideman. At which time, whether they detect and present every matter, or not, they pay to the said officers 4*d.* severally, for exhibiting every such verdict in every parish. Which amounteth also, throughout all the diocese, to a good round sum.

First, These three week courts are usurped and needless. Secondly, The multitude of people drawn thither. Thirdly, The great charge to every county. Fourthly, The continual travel and trouble of the subjects, especially of the poorer sort.

IV. *Item*, If any such offence be then detected, or defaults in churches presented, the said inferior officers do then most commonly grant to the offenders (being first cited before them) a day to amend it. At which time they grant another day: and so from day to day do so defer and delay the time, by giving of days of respite, (only for their own gain,) that in the end the offender clean escapeth unpunished; and the default never amended. For the giving of which days of respite, they take at every time of the offender, for every day so given, 6*d.* at the least. And by these means they make to themselves a profitable and yearly revenue, by granting of such days of respite.

V. *Item*, The number of the said inferior officers and commissaries is within these late years greatly increased. For within some one archdeaconry there be one Archdeacon, two Officials, and two Commissaries, divided into several parts of the archdeaconry. Where by ancient custom there ought to be but one Archdeacon and one Official in one archdeaconry. By the multitude of which inferior officers (who commonly seek nothing but their own gain)

her Majesty's subjects are within every diocese more and more daily troubled. And the search of such records very uncertain. And besides, some of them, by such often tossing and conveying about up and down the country, are many times torn, and sometimes lost.

VI. *Item*, The *procuratores* in their inferior courts be men ignorant, and not men studied in the ecclesiastical laws. Who upon very frivolous and small occasions do move suits and quarrels only for the gain of themselves, and of the said inferior officers of this Court. Whereas the Bishop of every diocese, having by ancient custom always 222
a settled Consistory Court, commonly seated and kept in a city, in the chiefest town in the diocese, for the hearing and determining of all ecclesiastical causes, furnished men of skill and knowledge; and the said matters of suits (if they were any thing worth) might be there sufficiently handled and determined. And so in truth there is no use or necessity at all of these three week usurping running courts, for any such suits, or for any other cause whatsoever.

VII. *Item*, The said inferior officers ought by the Queen's injunctions to certify, and deliver in yearly into the office of the Bishop and Principal Registry, the original or true copies of all such last wills and testaments as were proved before them that year: which they utterly neglect, and will not do. By reason whereof, first, the said records and testaments are not so well and safely kept and preserved as they should be. And besides, the subjects of every diocese having use thereof, are very oftentimes enforced to search in many offices and places, before they can find such testaments, to the great trouble of the same subjects.

VIII. The said inferior officers, for their lucre and gain, do very often prove the testaments, and grant administrations of the goods of such persons deceasing; wherein they have not any authority to meddle; *viz.* of those which have goods in divers archdeaconries at the time of their deaths, &c. And so the subjects are many times enforced after-

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wards to be at a second charge elsewhere, to have the same lawfully done.

Other abuses there are in these inferior officers; and principally in their three weeks running courts; which were too long particularly to set down.

Number XXXVI.

A note of divers incestuous and unlawful marriages, made by vagrant Ministers and lawless Peculiars: and of pretended Ministers without Orders.

Chap. xxii. Cott. Libr. Cleopatra, F. 2.

FIRST, in Suffolk, near Sir Edward Waldgraves, one married a woman lawfully one day: and she carried away from him, and the next day married to another by licence. With whom she liveth at this day, her first husband being alive.

A woman known to Mr. Valentine Knightly, in the county of Northampton, lying a dying, being ninety-two years old, and past memory, was married to a young man of twenty-two years of age, about the hour of six of the clock at night: and was dead the next morning before two of the clock.

Mr. Thinns son and heir stollen from Oxford, and married without his father's consent by a licence. The youth is fled beyond sea, and desireth to be disinherited rather than to have the match stand good.

One Badger, of Tyerhil in Worcestershire, married two wives; and the second by a licence. And finding two wives chargeable, cut the second wifes throat, and was hanged in Gloucestershire this last summer.

One Fleet, of Ammersley in Worcestershire, married his own father's wife by a licence.

John Lipsley, of Somersetshire, married his own mothers sister by father and mother, by a licence.

223 One Sermishair had two wives, and said to be divorsed from them both. And afterwards married the Bishop's daughter of Litchfield and Coventry, that now is. Who was formerly married to one Pleedsted; but from him divorsed.

Sermishairs elder brother married one of his divorsed wives; and it is said Pleested the other: the former of these marriages is thought to have mistaken the matter. But if it were rightly set down, it would trouble the King of Heralds to set down the alliance either to other.

One known to the sheriff of Sussex was contented for a sum of money to acknowledge himself an adulterer, which he was not; and in open court his wife was divorsed from him, and married with his consent to another man, by a licence.

One Bernard of Upton in Gloucestershire woed a widow, as she and her friends thought, for himself. Yet afterwards conveying her among his own friends, by a wile brought the man to her bed; and through his threatning to kill her, forced her to lie with him. And within two days after was married to his man by a licence. Her friends sued him for a rape. And had not the licence been, the law was thought to have gone against him.

One married two sisters in Oundel, in the county of Northampton.

One married two sisters of Duddington, in the same county.

One married his brother's wife, of Easton, by Stanford.

One married to a woman of Missington, in the county of Northampton, by a clark of the church, in the absence of the Vicar.

The Minister of the Tower of London refused to marry L. coming with licence, and without parents consent, within the space of half a year.

A blank licence under seal to marry a woman, being without date; and taking bonds: which if they had been taken, avail little to countervail the discovering of a man's daughter, being made to the Lord Bishop of the diocese, who need not sue then, unless he will.

It is thought that this revenue is a profit to the Church against the law of God: and is wished generally by the House of [Parliament] to be taken away. But if that cannot be, then it is desired, that no licence be granted, unless the Lord Bishop's hand be to it. Or if he be an ordi-

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nary attendant of her Majesty, the Chancellor to set his hand to it. Though there came but one licence to light; yet it is said divorses were granted: and any man might have them for three shillings and fourpence a piece.

Among many, there is one that hath supplied the place of a Minister these twenty years, and hath a good living: and as yet never took Orders. He is known to Sir Henry Bromely. This a fit man to make such marriages, as is formerly set down.

Another like him was at Stow in Lincolnshire. But he was so famous for marriages with licences, and without, as the Church was called *a lawless Church*. He continued in this trade thirty years.

A woman, for her conscience sake, fled from her husband to certain Jesuits in prison at Wisbich, and is kept secretly there, to bring them maintenance from their favourites in England. Her husband's name is Bartholomew, an honest man, well known to Mr. Topcliff, [a discoverer of Papists.]

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Number XXXVII.

Reasons for licences to marry. An answer to a bill in Parliament against them.

Chap. xxii. Cott. Libr. Cleopatra. F. 2.

I. LICENCES to marry according to the form set down without banns, are no cause of disordered marriage, but rather the contrary.

For they express all causes that might be any let of the marriage in law; and yield no licence to marry in those cases; but add to the prohibition of the law a restraint, by a bond also. And if one may speak a truth, it may be said justly, that it is a matter, not only not hurtful, but also very profitable to be continued in the commonwealth. For first, seeing consent in marriage is the matter specially to be regarded, and credit of kindred, honour, wealth, contentment, and pleasure of friends, be rather matters of conveniency than necessity in matrimony; it were better to tolerate the means wherewith consent of the parties themselves may more freely effect an honest matrimony,

than by tract of time publishing a marriage before-hand, either the parties be occasioned to stay through bashfulness themselves, or their friends or enemies, by forbidding the banns, should give let thereunto.

And touching parents, for whom especially the respect is had. Parents oftentimes measure their affections rather according to the humour they have themselves, (being old,) than regard the good liking of the young folks to be matched. And therefore rather seek to bestow their children in wealth or honour, or strength of friends, than are willing to suffer them to bestow themselves according to their own choice; although they chuse never so well, in respect of vertue and honest education. Divers times men of honourable degree have liking of mean persons. So sometimes rich have of poor, and old of young, masters and mistresses of their servants; and, to conclude, superiors of their inferiors; parties in disparity each of other. All which will willinglier marry secretly, than make public declaration before-hand of their liking thereunto. Which cannot be but a let often unto honest marriage.

Likewise sometimes it may fall out, that a lame or impotent man, for comfort; a man who hath lived loosly many years of his life with some one woman, may be desirous even in the very point of death to marry her, either in remorse of conscience, to make some part of amends unto her, or for the good of his children he had by her. Which cannot be effected, if he must make stay till banns be solemnly pronounced. Also, the friends, or the parties themselves, being desirous to avoid charge, would be glad to match secretly, which cannot justly be reprehended, if there be no other let. And therefore in many respects it may be concluded, that licences for marriages are not so hurtful as some would have them accounted.

II. And touching the parties which have used heretofore time out of mind of man, to grant, if the licence be not evil simply of it self, it cannot be the worse, for the parties that grant; especially, seeing it appertaineth properly unto them

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by the laws received, and the customs of this realm, to determine of the matrimony it self. Wherefore much more it seemeth they may still be permitted to have consideration and determination of those things, which are but preambles thereunto.

III. And whereas it is thought a matter convenient, that the Lord Archbishops or Bishops hand should be subscribed to every licence granted; it seems that great inconvenience might arise thereby. For either the Archbishop or Bishop is to give credit to the report of the under-officer; and so
225 subscribe: or else, if they living in divers parts, as often it falleth out, the parties that seek this licence shall be driven to double informations and proof. Which cannot be but both troublesome and chargeable unto them, in respect of the journey and proceedings. Besides that it may happen, that some of their servants or followers may, for expedition sake, draw a further charge on them than ordinary. Lastly, I suppose that seeing the officers grant it, the blame of any licence granted otherwise than it ought to be will lie on himself: it were better to let it so rest, that thereby he may be procured to be the more careful in his granting hereof than otherwise, having the Bishop's hand for a warrant, of likelihood he would be, seeing by that mean he may the better transfer the fault from himself.

Number XXXVIII.

Orders for the cathedral church of Canterbury. With notes to each article set in the margin: containing a judgment of them.

Chap. xxii. Cott. Libr. Cleopatra, F. 2.

I. THAT no Petty Canon, having a vicarage or cure within the town, whereunto there is an house belonging, shall have his dwelling within the church.

Marginal note: This is agreeable to the statute 21. H. VIII. cap. 13. See *Resident.*

II. That none of the clarks, nor any other, having a

chamber within the dormitory, shall there keep his wife, or any woman servant.

Marginal note: The place considered, and the solitariness thereof, this seemeth convenient.

III. That there shall not be any school kept of children within the church, besides the Queen's school; and that for the choristers: of maiden children especially.

Marginal note: It seemeth very unfit that girles should be taught in a school within the precinct of the church. Especially seeing they may have instruction by women in the town.

IV. That whoso dwell in any rented house within the precincts of the church, shall at the monthly communions receive once a quarter at the least. And that the chaunter do certify the names of them who do not receive, unto the Dean, or, in his absence, unto the Vicedean. That if occasion be, they accordingly may certify the same unto your Grace.

Marginal note: This were convenient; but the inhabitants in such houses cannot be compelled to receive quarterly in the cathedral church; they being strangers. And therefore to ordain the same were to small effect.

V. That the petty canons, singing men, substitutes, or other of the inferior ministers and servants of the church, do more daily frequent the first morning service.

Marginal note: It seemeth very convenient.

VI. That the canons made the last convocation be put in ure, and duly observed. 226

Margin. viz. Ut beneficiati in suis beneficiis hospitalitatem exerceant. Et, Ut Decani et Canonici in ecclesiis cathedralibus suis conciones habeant.

VII. Alehouses kept by some of the church.

Margin. Forbidden by the injunctions; and contrary to the statute of Winton, 13. Edw. Prim.

VIII. Letting out their houses.

BOOK IV.

Number XXXIX.

The inscription on the monument of Dr. Martin Heton, Bishop of Ely.

M. S.

Chap. xxv. MARTINUS Heton, ex antiqua Hetonorum familia in agro Lancastriensi oriundus : filius Georgii Heton Armigeri et Johannæ ejus uxoris, filiæ Martini Bowes, Equitis Aurati. A quâ parturiente et expirante Deo et Ecclesiæ reformatæ dicatus est. Ab Academia Oxoniensi, ad omnes scholasticos gradus et honores evectus. Ibique in Ædе Christi unus octo Canonicorum constitutus, a serenissima Regina ELIZABETHA ad decanatum Wintoniæ, annum jam agens trigessimum sextum, promotus; hujus episcopatûs ultimò locum ac sedem obtinuit. Consecratus, Febr. 3. an. D. M,D,XCIX. Per decem annos plus minus tam piè, tam publicè, tam munificè hic se gessit in cathedra, ut, qui communi voluntatum consensu, et amores et officia erga se excitasset; non sine dolore, non sine duplici damno abreptus esse videatur. Obiit Julii 14°. an. Dom. M,DCIX. ætatis LVII.

Number XL.

A licence granted by the Archbishop to Swetnam, to teach children.

Chap. xxv. Regist. Whitg. vol. iii. fol. 105. b. JOHN by divine providence Archbishop of Canterbury, of all England Primate and Metropolitan ; to all Christian people to whom these presents shall come, sendeth greeting in our Lord God everlasting. These are to let you understand, that upon receipt of sufficient testimony of the good life and conversation of William Swetnam, of the parish of St. Margaret Patens in London, fishmonger; and upon further examination of him, being first sworn in due form to the supremacy of the Queen's most excellent Majesty, and subscribing to the Articles agreed upon by the Clergy in anno 1562, we have licenced, and by these

presents do licence the said William Swetnam, to teach and instruct children in the principles of reading, and introduction into the *accidence;* and also to write, and cast accounts, 227 in any parish within the city of London, or our peculiar churches of Canterbury, within the said city. Enjoyning him, that every week he do instruct his children and scholars in the Catechism made and set forth by Mr. Alexander Nowel, now Dean of the cathedral church of St. Paul in London: and that he with his scholars, so many as shall be of the parish where he shall teach, do usually and commonly resort and repair, on all *sabbaths* and *festival* days, to the church of the parish where he shall so teach: and he with his scholars do reverently hear Divine service and sermons, and dutifully and diligently attend thereunto. And also we will, this our licence to endure, during his good behaviour, and our pleasure; and no otherways. In witness whereof, we have caused this our seal of our office of principal registry to be put hereunto. Dated this 20th day of July, in the year of our Lord 1599, and of our translation the 16th.

Number XLI.

Bancroft, Archbishop of Canterbury, his letter to a certain courtier, upon a petition of the Doctors of the Arches to him, to favour them against the common lawyers.

AFTER my hearty commendations. I received yesterday a petition made to my self, by the Doctors of the Arches: which had been fitter, in mine opinion, to have been directed unto his Majesty. For what can they expect at my hands, that I do not meditate and endeavour, by all the means I can possibly, to effect on their behalf? I know that Europe cannot afford, in any one place or college, so many worthy men of their profession, as they of that society are: howsoever they are despised by Erasmus, his *doctissimum genus indoctissimorum hominum*. Which I write not to tax all of that sort; but only by way of comparison. Because men so truly learned, according to

Chap. xxvi. Cotton Librar. Cleopatra, F. 2.

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the precepts and rules of so many arts as they have been bred up in, are so contemned and vilified by them. Let them of the common law have on God's name their due estimation that they deserve; so as they do not appropriate to themselves the quintessence as it were of all wisdom and understanding, or rather a vain and ridiculous conceipt borrowed from the Pope; as if they had power to judge all men, but must be judged of none; except, say some Papists, of the Pope by a general council; except, say some lawyers for themselves, by the Upper House of Parliament.

You must not be prodigal of the use of this my letter, lest some occasion be taken thereof, of exclaiming against me, as some do; giving it out very seditiously, in my opinion, that by my means a course is entred into, which tendeth to the overthrow of the common law, and to deprive his Majesty's subjects of their birthright: that I labour by all the means I can devise, to make the King believe, that he is one *absolute monarch*, and may, *jure regio*, do what he list: and that I am an enemy to all the professors of the common law. And all these imputations are cast upon me, as God knoweth, very unjustly; for no other cause, but for that I desire, that his Majesty's temporal Judges might keep themselves in some reasonable sort, within their own lists, and not invade, as they do, his Majesty's ecclesiastical jurisdiction.

The time was, when the punishing and bridling of some of their predecessors, for many their abuses and insolences, was accounted a special reputation and credit to the common law. For then doth the dignity and excellency of it most appear, when it is executed with the greatest sincerity. But they affect too much to be popular; which was never approved in a commonwealth by men of solid and grounded judgment; nor is perhaps tolerable in this.
228 Doth he, who saith, that the King, with the advice of his most honourable Privy Council, assisted likewise by others the chiefest learned of this kingdom in both the laws, is the fittest judge to decide and determine questions, (now

risen between both his supreme jurisdictions;) doth he, I say, affirm, that the King can do what he list? Or doth it follow, that if the King shall take upon him to be a judge in these causes, it is not unlike, that he will hold the like course in all other causes, to the prejudice of his temporal Judges? Who pretend forsooth in effect, that they are the *euphori* between the King and his subjects: and therefore they, the said subjects, are deprived of their birthright.

It is given out, how earnest the commons of this realm have been in divers Parliaments, that their causes might not be decided by the King and his Council, but should be left to the temporal Judges. But who knoweth not the imperfections which have ever generally attended the Lower House? who do for the most part more affect their own designs, than the benefit of the commons that chuse them. Gentlemen and Justices of peace, knowing their own strength in the county with jury-men, (who in many cases must depend upon them,) were ever unwilling to come before the King and his Council, where they know no packing will serve their turn. Whereas the poor commons, who are oftentimes opprest by such men, were ever most desirous to flee to the King; as being persuaded, that they should receive from him better justice than from all his temporal Judges.

And in the present case, touching the marches of Wales, are they not the baser sort of gentlemen that oppose themselves against that jurisdiction, as being loth to be curbed by it? Whereas, might they be left to their juries before the Judges, they would be able to shift better for themselves. In the last sessions of Parliament, had the Knights and Burgesses sought the good of the commons, they would not have busied themselves so much as they did with colours and and with the Kings prerogative; but have made themselves humble suppliants unto his Majesty, to have had it enacted, that gentlemen and Justices of the peace might thenceforth have been sworn to have more equally dealt with them in their cessements of subsidies, and other contributions for the King's service.

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That they, being poor people, might not have their rents so wracked as they are, thereby scarce able to live. And that all enclosures of commons, and depopulators of towns, might have been for ever after severely punished, and constrained to have given them due satisfaction.

These and divers other points of this nature the commons would have propounded, might they have spoken themselves, or had their Knights and Burgesses dealt so for them as they ought to have done. So that the partial humour of other men ought not to be ascribed unto the commons, who do expect their birthright from the King, being *pater patriæ*, rather than from the Judges; that being compared unto his Majesty are but their stepfathers. He is the fountain of all justice, from whence whoso immediately draweth is sure to receive the same with all clearness and purity. Whereas oftentimes being derived through pipes and cisterns, not so clean as they should be, it is tainted; and loseth a great part of the vertue it had. Did the commons know how in the practice of law they are used, they would not be so far in love with the temporal Judges, as they, the said Judges, would pretend they are; and as indeed they ought to be, were they better used by them.

The now Lord Treasurer's father, of a very honourable memory, [Lord Burghley,] was very bold with the Judges openly in the Upper House of Parliament, a little before his death. At which time there being a bill exhibited against inclosers of commons and *depopulators*, the Judges took so many exceptions to it, as his Lordship told them very roundly, that they themselves were so far touched with those abuses, as they were never like to be reformed, if they could hinder it. Adding, that therefore he thought their Lordships should not in this depend any thing upon them. Whereupon I may conclude, that were the Judges
229 so careful, that the poor commons may have their birthright, they would not *verbally*, to bring other men in hatred, but *really* and indeed be more respective of them.

But you will say, what is all this to the Doctors petition.

They are indeed *remota*, but yet *adjuncta*. And you can pick out of them some English, as our proverb is. *Sed sit hæc summa summarum*, that which I cannot perform for so worthy persons: I pray you, commend me to his Majesty most humbly in my name, that he will be pleased to effect, as I doubt not that he may, without depriving his subjects of their birthrights, or shewing himself to be such a king, as, not caring for any laws, will do what he list. And thus I commit you to the tuition of Almighty God. At Lambeth, Jan. 23, 1608.

Your assured loving friend.

Number XLII.

The Archbishop delivereth a Clergyman, lunatic, from the wardship of a layman: who had obtained him from the Court of Wards.

44 *Eliz. Cur. Ward. et Liberaconum. Terno Trinitat. an.* 44. *Dne. Eliz.*

WHEREAS by an order of the 11th of this instant, the Court was informed, that Richard Aldridge, Clerk, being a spiritual man, and Parson of the rectory of Risington Magna, in the county of Gloucester, and of the rectory of Byford, in the county of Hereford, and Prebendary of Wythington, in the cathedral church of Hereford, was found by office to be lunatick; and committed under the seal of this Court unto one Richard Lilly, a layman: and for that the Court was informed, that neither Parsons nor their ecclesiastical livings were under the jurisdiction of this Court, but to be disposed of by the ecclesiastical powers: where coadjutors and assistants have been always appointed to supply the wants and defects of such persons: it was therefore given unto the said Richard Lilly, until the 17th of this month, to shew cause, why the said parsonages and such spiritual livings of the said Aldridge should not be disposed of by the supream Ordinary. Chap. xxix. Regist. Whitg.

At which day Mr. Wylde, of counsil with the said Lilly,

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appeared, and could shew no good cause to the contrary. And for that Mr. Boyse did shew in Court a precedent in the time of H. VIII. by which it appeared, that one Richard Pace, then Dean of St. Pauls, being lunatic, had a coadjutor placed by the Bishop of London; to have care aswell of the person of the said lunatic as of his spiritual promotions, and to yield account for the same; and for that the said Mr. Wylde, on the behalf of Lilly, the committee desired further time to be advised thereof; and this Court gave further time until this present day, to shew what he could concerning the same: whereupon the Court this day entring upon examination of the said cause, the said Lilly, and Mr. Wylde, of his council, being present, and demanded by the Court, what precedents or authorities they could shew, to maintain the jurisdiction of this Court concerning spiritual persons being lunatick; the said Mr. Wylde answered, that they could find no precedent therein. Whereupon Mr. Boyse shewed forth the said precedent of Richard Pace, Dean of Pauls, being a lunatick, and had a coadjutor appointed by the Bishop of London, for the ordering and good governing of all his lands, tenements, goods, and chattels spiritual; as more at large by the same precedent, dated *decimo mensis Octobris in anno Domini* 1529, appeared; and one other precedent out of the regis-
230 ter of Tho. Arundel, Archbishop of Canterbury, anno Dom. 1400. Whereby one Tho. Preston, Rector of the parish church of Mellys, within the diocese of the bishoprick of Bath and Wells, being *non compos mentis*, there were two coadjutors appointed by the Archbishop of Canterbury, unto the said Thomas Preston, for the profit both of the said Preston and of the said church, as more at large did thereby appear: and sundry other precedents, whereby spiritual magistrates have usually committed assistants and coadjutors to supply the imbecillity and imperfections of the spiritual Pastor, and for the good government of his lands and goods: as, one in anno 1350, Roger Barkinge, Rector of the church of Chertham, sick of the palsie, had a coadjutor appointed: and in anno Dom. 1302. John

Beston, Rector of the church of Cleve, (troubled with a grievous disease,) had granted a coadjutor; and divers other precedents of the like sort.

The Court considering hereof, delivered their opinions, that this Court had not any power or jurisdiction to intermeddle or commit the spiritual or ecclesiastical livings or possessions of any spiritual person that was lunatick, or *non compos mentis;* but that the same rested in the ecclesiastical magistrates to appoint and dispose, as formerly had been accustomed. But for the moveable goods of the said Richard Aldridge, and his temporal possessions, the Court would further consider thereof; and give such order therein as shall appertain.

Number XLIII.

The Archbishop of Canterbury to Gilbert, Earl of Shrewsbury; concerning the endeavours of the Puritans with the King; and his own diligence in behalf of the Church.

MY very honourable and special good Lord. I have writ to the town of Grimesby, according to your desire, and do very hartily thank you for so well affecting them, being a corporation which nature tendeth me to favour and to wish well unto. I would to God your Lordship were seated there, if there were any seat fit for you. I did not discommend your purpose for the fish-ponds, for it is a true proverb, Things far fetched and dear bought are good for ladies.

Chap. xxxi. MSS. Rev. Wh. Kennet, Dec. Petriburg.

I have not been at Court sithence it removed from Hampton, the times and ways have been so daungerous, and my years so unapt to travel. But I have heard from thence, and sent thither, according to my former manner. And altho' our humourous and contentious brethren have made many petitions and motions, correspondent to their natures, yet your Lordship may perceive by the proclama-

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tion published, and to my comfort I am assured, by his Majesties letters writ to me, that they have not much prevailed. Your Lordship, I am sure, doth imagine, that I have not all this while been idle, nor greatly quiet in mind. For who can promise himself rest among so many vipers? I thank God I go on as I was wont to do, altho' at this present I am tainted with my old disease, the jaundice.

I am sorry to hear you mention any *Supersedeas* towards the Parliament. You know my opinion of the goute, and those that are infected therewith. I hope your Lordship will not confirm me therein. Nay, I persuade my self of the contrary in you. But my resolution is, *Quod Deus vult, hoc faciat.* And so with my most hartiest commendations to your Lordship, and my very good lady, I commit you both to the tuition of Almighty God. From Croydon, Decem. 12, 1603.

Your Lordships most assured,

Jo. Cantuar.

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Number XLIV.

The opinion of Matthew Hutton, Archbishop of York, touching certain matters, like to be brought in question before the King's most excellent Majesty, at the Conference at Court. Written October 9. 1^mo. *Jacobi, to the Archbishop of Canterbury.*

Question I.

Chap. xxxi. MSS. R. Thoresby.

First, Concerning the *appropriations:* Whether they be to be given over to the Ministers of the Gospel, or may continue, &c.

This question dependeth of another; *viz.* Whether tithes now in the time of the Gospel are to be paid *jure divino*, or *jure positivo.*

Respons. My opinion is with Peter Martyr, 19. *Judicum*, That he that laboureth is worthy of his hire, and that the preachers of the word must have a competent portion to live of; but not precisely of tithes.

To make the matter more plain, we must understand, that the Law of Moses was divided into three parts, moral, ceremonial, and judicial: and that these three laws were (as it were) three adjuncts unto the subjects, (to speak after Ramus his logick.) The *ceremonial* law was tied to the priesthood of Levi. Which being taken away and abrogated, the whole law also is abrogate, as St. Paul saith, Heb. vii. *Mutato sacerdotio, necesse est ut legis mutatio fiat.* The *judicial* law was annexed, and given to that nation, or people, and that government; which being cast off, and that government ceasing, the *judicial* law is abrogate: but not so as the ceremonial law is, but made not necessary for any state to be tied unto. (Albeit, Struthius and Monetarius, two notable hereticks of late times, would have all the world to be governed by the judicial law of Moyses.) For kingdoms and commonwealths may retain some, and alter some, as in wisdom shall be thought convenient *Theft* by that law was punished by restitution. In this land, and (almost) in all countries, it is punished with death. As for the *moral* law, it abideth for ever, because the image of God (though rased and much defaced in all men) doth still remain; and by the law of nature and reason doth owe a duty to God and to all men, &c.

Now by what law were tythes commanded by Moyses?

Peter Martyr (*Judic.* 19.) saith, by the ceremonial law: and that tythes did aim at Christ, the giver of all things. But now, (Martyr saith,) *stipendia Ministris, sive persolvantur ex agris, sive ex ædibus, sive pecunia numerata, sive in decimis, nihil refert; modo non sordidè, sed honestè sustententur.*

In this ceremonial law of tithes there was something *moral*, that is, that a sufficient portion should be allotted to the Ministers, &c. and that abideth still. But precisely the tenth part, that was *ceremonial*, and bindeth not now. As in the moral law of the *sabbath*, there was something ceremonial: *moral*, that some day or time should be allotted to God's service. But precisely the seventh day,

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and not the eighth day, that was *ceremonial*, and is abrogate. So in the ceremonial law, the moral doth continue, the ceremonials are taken away.

That excellent book, called *The Doctor and Student*, (the author whereof was called St. German,) in the 55th chapter saith, that tythes did belong to the *judicials* of Moses, to the government of the nation. But he is in opinion, that, by the law of reason and nature, (which is the moral law,) the Ministers of the New Testament must
232 be sufficiently provided for in land, rent, or otherwise, but not necessarily by tithes. For he saith, that many whole countries pay no tithes, and that our laws in many cases do allow of a *prescription, De non decimando;* which cannot be against the law of God.

Now as for *appropriations*, I think, superstition was the cause of most of them; but now they are confirmed by the law of the land, and universally dispersed by the same law; some in the crown; some belonging to colleges in the Universities, (and they are best bestowed;) some belong to noblemen and Bishops; some to cathedral churches and hospitals; some to gentlemen and others, inferiors of all sorts; some are seized of them, as of inheritance; more possessed, as of leases; and all these, *bonæ fidei possessores:* and therefore may keep them with a safe conscience; and the parishioners are bound in conscience, as to the Parsons and Vicars, so to the approprietaries, or to their farmers, to pay their tithes truly, though they be never so wicked men. *Suum cuique tribuere est proprium munus justitiæ.*

I wish better provision were made for godly preachers. But how it may be done, I leave that to his Majesty, (who is both learned, wise, and careful for religion,) and to the grave men of State and of the Church. Thus much of the first question.

Question II.

As touching the *government* of the Church in this kingdom, under his Majesty, whether by *Bishops* or by *Presbyteries*, I will shew my opinion as briefly as I can.

Respons. Presbytery is more popular, *Bishops* more aristocratical. Presbytery hath a resemblance with a *Sanhedrim* of the Jews; which being a part of the judicial law, is so abrogate, that it is made not necessary to be reteyned in the time of the New Testament: neither the authoritie of that which was the *great Sanhedrim;* nor of the twenty three, the middle; nor of three, which was the lowest, and dealt with smallest matters. But our Presbyteries do derive their authority from the Apostles time. Priests and Bishops, they say, were all one, as Jerom saith to Evagrius, and upon the Epistle to Titus: and they governed the Church *communi consilio.* But afterwards, for avoiding of schism, *in toto orbe decretum est*, it was decreed in all the world, that one of the number of the Priests should be elected to be over the rest, and to have the general care over the Priests: but *magis consuetudine, quam dispositionis Dominicæ veritate.*

S. Jerom. in cap. ad Tit.

Whereas indeed *Bishops* have their authority, not by any custom or decree of man, but from the Apostles themselves, as Epiphanius proveth plainly against Arrius the heretick; who, being a proud man, because he could not get to be Bishop himself, thought, that *idem est Episcopus et Presbyter.* With this opinion St. Augustine doth charge that heretick, in his book *De Hæresibus, Ad quod vult Deum.* But Epiphanius doth shew the difference to be, not only because the Bishop hath authority over the Priests, but because *Presbyter* begetteth children to the Church by preaching and baptizing; the *Bishop* begetteth Fathers to the Church by giving of Orders. *Hujus rei gratia reliqui te in Creta, ut quæ desunt pergas corrigere; constituas oppidatim Presbyteros,* &c. And so it hath continued in the Church ever since. The question then is this:

Whether is better, the *Bishops* to continue in England, or that *Presbyteries* be brought into this realm and Church of England?

Aristotle saith, There are three kinds of good states; *basilia*, the best; *aristocratia*, the next; and *timocratia*, the meanest of all the three: where one, few, or many go-

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vern for the good of the whole commonwealth. Three other sorts of evil states, *tyrannis*, *oligarchia*, and *democratia;* where one, few, or the multitude have care only of their own private, and not of the good of the whole. If the Gospel be preached in any of the evil states, there is hope it will make it good. If in any of the good states, it is no doubt but it will make it better. But one ecclesiastical
233 government and discipline is not fit for all commonwealths. The *Sanhedrim* of the Jews was not so convenient in the time of the kings, as it was before and afterwards. Josephus writes, that when the people would needs have a king, Samuel was sore offended thereat, because *valdè delectabatur optimatum gubernatione; at non amabat* regiam *potestatem ut nimiam.* And Hircanus and Aristobulus, before Pompey, refuse to be under kings, and desire that the people may be governed by God's priests, as was the manner of the country. So likewise at this time, they that so much do magnify the government by presbyteries, like better of a popular state than of a monarchy. Yea, Calvin himself, the chief patron of presbyteries, as he misliketh that a king should be supream head, so he commendeth, beyond all other, a mixt state of *aristocratia* and *timocratia.* Such was and is at Geneva. And so a popular government by presbyteries is more fit for a popular government than it is for *basilia.*

Lib. vi. cap. 4. Antiq.

Lib. xiv. cap. 5.

Calvin. in Amos. cap. 7. Institut. lib. iv. cap. 20.

Therefore the King's Majesty, as he is a passing wise King, and the best learned Prince in Europe, had need to take heed, how he receiveth into his kingdom such a popular government ecclesiastical as is that of the presbyteries; *ne fortè, &c. latet anguis in herba. Basilia,* the worst of the three, &c. And the King to be *supream Head* of the Church, misliked, &c. Thus much of the second question.

Question III.

Thirdly, I am informed, there is great banding by men of good learning, (but of singular wisdom and learning in their own opinion,) set on by busy-bodies, hot and guiddy heads, who fear nothing more, than lest they should seem

to doubt of any thing: these Lucians, or Luciferians, intend to disgrace and deface the Book of Common Prayer and the Ministration of the Sacraments; either to overthrow it, or (at least) to alter it. But these men, though they make small accompt of the Bishops now lyving in this Church, yet (methinks) should reverence reverend Archbishop Cranmer, learned Bishop Ridley, and grave Bishop Latymer, who at one time yielded their bodies to be burnt, for the defence of that book, and the Gospel professed in the Church of England, in the time of vertuous King Edward the Sixth.

This matter began almost forty years ago, and hath been answered first and very sufficiently by your Grace unto T. C. and since very well by divers others: yet being required, I am content to set down my opinion shortly in some few points.

One chief thing is misliked, that women, widwives, and laymen, seem to be permitted to baptize in time of necessity.

Respons. I answer briefly. First, That the book doth not allow of it. Secondly, That it was not said to women or laymen, *Ite, prædicate, baptizantes eos in nomine* &c. and therefore they may not minister the sacrament of Baptism. I say also with Epiphanius, *contra Collyridianos*, that the blessed Virgin Mary her self was not permitted to baptize. And he charged Marcion the heretick, that he gave leave to women to baptize. And yet I confess, that not only the Church of Rome, but all the Schoolmen, and almost all the ancient Fathers, do hould it lawful, that laymen may baptize in time of necessity. Tertullian *de Baptismo; Alioquin laicis jus est dandi: quod enim ex æquo accipitur, ex æquo dari potest.* Augustine also, *contra Epist. Parmeniani*, and in many other places, alloweth of the baptism ministred by laymen. Zozomenus writeth, that Athanasius, a boy, playing with boyes, baptized certain of them; and yet Alexander, Bishop of Alexandria, would not suffer them to be baptized again. This erroneous custom and abuse of the holy sacrament did grow

Lib. ii. cap. 16.

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from another error, urged especially by that good Father, St. Augustine, (*Quandoque bonus dormitat Homerus,*) that children dying without baptism could not be saved: which hath no sufficient warrant in the word. The promise is, *Ero Deus tuus, et Deus seminis tui.* So that the children of Christian parents are within the covenant before bap-
234 tism; and by baptism are sealed and declared so to be: as by circumcision were the children of the Israelites. Yet if they died before the eighth day, they were not thought to be condemned. David would not have been cheared and comforted, when his son died the seventh day, and before he was circumcised, if he had thought he had been condemned: Nay, saith he, (2 Sam. xii.) *I must go to him*, &c.

Why then doth the book allow that women should baptize?

The best answer is, that though the book seem so to do, yet doth it not commend or allow of that fact. True it is, that their charitable dealing can do the child no harm, and their fervent prayer to God may do it good. And the sick, woful mother receiveth comfort, if it die. But if it live, it is commanded by the book, that the child be brought to the Church, and the witnesses to be examined of all circumstances; and if the Minister find a manifest defect, he is commanded to proceed to prayer, and to the ministration of baptism, and (at the least) baptize the child with a condition: *viz. If thou*, N. *be not already baptized, I baptize thee in the name of the Father, Son, and of the Holy Ghost.* It is referred to the judgment of the Minister, whether he think the baptism sufficient and lawful.

And the fourth General Council of Carthage, (Canon 100.) whereunto St. Augustin did subscribe, hath these words: *Mulier baptizare non presumat.* And I heard divers reverend Fathers (who were learned preachers in King Edward's days, and very privy to the doings in the Convocation, and themselves dealers, *in anno primo Elizabethæ*) affirm plainly, that there was no meaning to allow, that midwives or women should baptize, no more than to minister the Supper of the Lord to the sick in private houses.

But would not lay it down in plain words, least it might hinder the passage in the Parliament: *tantæ molis erat Romanum tollere ritum.*

Question IV.

Another thing is misliked, *viz.* that the child is signed with the sign of the *cross* in the forehead.

Respons. I answer, that the sign of the cross is and hath been much abused in Popery:

Per crucis hoc signum, fugiat procul omne malignum.

I say further, that it is not necessary to be used in that sacrament. Yea, the Papists themselves confess, that it is not of the substance, which standeth of two parts, as Augustine saith, *Accedit verbum ad elementum, et fit sacramentum, etiam visibile verbum.* Notwithstanding to the ministration thereof five things are required; the party baptizing, the party baptized, a meaning to do that which Christ commanded, the element of water, and the form of the words, &c. Henricus de Vurima in Quartam Sentent. comprehendeth them in these two verses:

80. Tract. in Joan.

Cum tincto tingens, intentio, pòst aqua, forma
Verborum, faciunt, ut sit baptismatis esse.

All other things whatsoever, he confesseth not to be of the substance; and he comprizeth many of them in three verses:

Sal, oleum, chrisma, cereus, chrismale, saliva,
Flatus, virtutem baptismatis ista figurant;
Hæc cum patrinis non mutant esse, sed ornant.

The same we say of the cross: baptism may be well without it. But we say also, it may be well used; and is well used in the Church of England.

It is a very ould ceremony, used by the best Fathers, both without baptism and in baptism. *Insultat Paganus crucifixo Christo: videam ego in frontibus regum crucem Christi.* Again, *Usque adeo de cruce non erubesco, ut non in occulto loco habeam crucem Christi, sed eam in fronte portem. Ad omnem progressum atque promotum, ad omnem aditum et exitum, &c. frontem crucis signaculo terimus.* 235

Augustinus in Psal. cxli. Ibidem. Tertullian. de Corona Milit.

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It was also used in baptism, *Baptisma quoque per crucem datur. Oportet enim signaculum hoc sumere*, &c. Cyprian also, in his sermon *De Passione Christi*, saith, that the sign of the cross was used in all sacraments.

Chrysost. Hom. 13. in Philipp. Cyprian. in Sermone de Passion.

Now being set down in this Church by publick authority, it may not be spurned at by private men. Humility and obedience to the Prince and his laws, in all things not contrary to Gods laws, beseem best for all subjects and private men.

Question V.

It is much misliked in the Litany, that we pray to be delivered from *sudden death*. We ought so to live, that death should never find us unprepared.

Respons. I answer, that *sudden death* to the wicked is said to be part of their happiness in this world; that when they have spent their lives in voluptuousness, and all worldly felicity, they are not tormented with long and lingring sickness, but without pain they are suddenly taken away. So saith Job xxi. *Ducunt in bonis dies suos, et in momentum descendunt in sepulchrum.*

I say further, it is a sometime a blessing for God's children to be taken away by death, lest they should fall into divers sins. And so saith Cyprian, *De Mortalitate*, upon these words of the Book of Wisdom, *Raptus est, ne malitia mutaret intellectum ejus.* He commendeth hasty death, because thereby men are taken away from the danger of sin; and that children by death avoid the danger of slippery age.

Cyprian. de Mortalit. cap. 4.

August. de Prædest. Sanct. cap. 14.

And Augustin also saith, *Quomodo homini lapso, et in eodem lapsu istam vitam miserè finienti, atque ad pœnas eunti talibus debitas, non plurimum summeque prodesset, si ex hoc tentationem loco priusquam laberetur, morte raperetur.* To be by death snatched away from sinning is a blessing, as to dye suddenly in sin is a curse. *Electi nonnulli, accepta gratia, in qualibet ætate periculis hujus vitæ mortis celeritate, subtrahuntur.* And so are taken away hastily, lest they should sin.

August. de Corrupt. et Gratia, cap. 7.

But by *sudden death* to be taken away in the act of sin,

without space or grace to repent, is a most fearful and terrible thing: as were Core, Dathan, Abiron, Absolon, Ananias, and Sapphira, and many more. From such sudden death every man ought to say, *Good Lord deliver us.*

But contrariwise, what a singular blessing is it, when a man hath space and grace, not onely to repent him of his sins, but also to dispose of his things, and make open profession of his faith, that he dieth the servant of God, and so yieldeth his soul into the hands of God? It is a comfortable edifying of them that be present, or shall hear of his godly departure. Who wisheth not to dye the death of Abraham, Isaac, and Jaakob, or David, &c.?

Lastly, There are some things that we must simply pray for without condition; as, that God's name may be hallowed, his will fulfilled, the kingdom of Christ enlarged; that we our selves may live and die in the favour of God, by the merits of Christ Jesus. These things, and such like, we must pray for without condition. Other things, which belong to this life, and the manner of our death, we may pray for with this condition, if it may so stand with the good will and pleasure of Almighty God. And this condition, tho' not expressed, is understood in very many prayers in the Litany. From *battel* and *murther;* from *plague, pestilence,* and *famine;* and from *sudden death.* From *sudden death* without repentance, we must simply pray to be delivered. But yet indefinitely we may well pray to be de- 236
livered from sudden death, with condition, if it may stand with the good pleasure of our good God. And a condition is understood in one petition of the Lord's Prayer, *Give us this day our daily bread;* the rest without condition.

The Lord, for his Christ's sake, bless his Majesty with his manifold graces; that he may maintain the Gospel in this Church, as his dear sister, most worthy Queen Elizabeth, did leave it; and that as he, in his golden book to the Prince his son, doth shew his dislike both of superstitious Papists and giddy-headed Puritans, so God may give him courage and constancy to withstand them both; that nei-

BOOK IV.

ther the Papists may obtain their hoped toleration, nor the Puritans their fantastical platform of their reformation.

Number XLV.

A letter written from Court by Toby Matthew, Bishop of Durham, to Hutton, Archbishop of York; giving an account at large of the Conference at Hampton Court before the King, in January 1603.

Chap. xxxi. MSS. Ra. Thoresby, Arm.

MAY it please your Grace; Upon Thursday the 12th of this instant, [January,] my Lords Grace of Canterbury, with the Bishops of London, [Durham interlined,] Winchester, Worcester, St. David's, Chichester, Carlisle, Peterborough, and my self, out of the Privy Chamber, were sent for by his Majesty into an inner withdrawing chamber; where in a very private manner, and in as few words, but with most gracious countenance, he imparted to us, first, the cause wherefore we were called up; which was, for the reformation of some things amiss in ecclesiastical matters, supposed, and by some complained of. Next, how desirous he was, and we ought to be, that the kingdom of Ireland might be reduced to the true knowledge of God, and true obedience. To which latter, without the former, he could never hope to find among them. Lastly, his Majesty gave us to understand, that the day was somewhat mistaken, being meant by him to be the Saturday after: at which time his Majesty willed us to repair to the Court again.

Which when we did accordingly, his Highness, about eleven of the clock, in his privy chamber, in the presence of the Privy Council only, sitting on his right hand, and all the Bishops on his left, made an excellent oration of an hour long, declaring, "That religion was the soul of a "kingdom, and unity the life of religion. That as both "among the Jews and the Heathen, so among the Chris-"tian emperors, their chiefest care was first to establish

" God's worship. And that in this realm of England, as " sondrie of the kings had been religious in their kynde, of " auncient tyme, so in this latter age there had been made " divers alterations; as, by King Henry the Eighth in some " points; by King Edward in many more; by Queen Ma- " rie, who crossed them both; and lastly, by Queen Eliza- " beth, who reformed her sister's superstitions, and esta- " blished the Church of God here, in the doctrine of Christ, " and discipline agreable to the same. Whereunto, be- " cause some preachers in sondrie parts of the realme did " not so submit themselves, but that some contradiction " and discontentment did arise long since, and increase of " late, little less than to a schisme, (a point most perillous " as well to the common weale as to the Church:) there- " fore he had convened us, the reverend Fathers, to con- " sult with us: first, aparte from our opposites, for avoid- " ing contention towards us and them, and for his own re- " solutions in some particulars, which the contrary faction " imputed partly to the Book of Common Prayer, and 237 " partly to the forme of Church government here. Which " said particulars were, I. The forme of *absolution* after the " publique confession of synnes. II. The manner of *con-* " *firmation* of children. III. The toleration of *private bap-* " *tisme* to be done by laymen or women. IV. Many great " errors and abuses, crept in under the title of *excommuni-* " *cation;* and by the corrupt dealing of Chancellors, Offi- " cials, &c." Against all which his Majesty did argue and dispute at large.

And after answer severally made by my Lords Grace of Canterburie, and the Bishops of London and Winchester chiefly, his Highness so scholasticallie and effectuallie replied, that what with rejoyninge and surrejoyninge, fower long houres were spent in that daies conference, to our exceeding great admiration of his Majesties not only rhetorical and logical, but theological and juridical discourses. As also, in the end, to his good satisfaction in all such objections as he propounded; giving present order, that for the present clearing of some doubts and misconstructions

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here and there, some few words, not in the body of the sense, but in the rubricks, or titles, of some of the aforesaid particulars, should, in the next edition of the Common Prayer Book, be inserted, by way rather of some explanation, than of any alteration at all.

Upon Monday his Majesty appointed certain of the best learned of the *preciser* sort to be before him in the privy chamber, to hear what they could object; *viz.* Dr. Reynolds, Dr. Sparke, Mr. Chatterton, and Mr. Knewstubbs: to whom his Highness used more shorte and round speech: and admitted only two Bishops to be present, to be named by my Lords Grace of Canterbury; who sent thither the Bishops of London and Winchester, while we the rest were with him, setting down the form of the former points. The Doctors named divers abuses, but insisted chiefly upon the *confirmation*, the *cross* in baptism, the *surplice*, *private baptism*, *kneeling* at the Communion, reading of the *Apocrypha*, *subscriptions* to the Book of Common Prayer and Articles; one only translation of the Bible to be authentical, and read in the Church; the censure of *excommunication* for so small causes; the *corruptions* in the Bishops and Archdeacons courts, committed by their Chancellors, Commissaries, Officials, Registers, and such like officers; together with their immoderate exactions and fees, to be reformed. Of all which, as also concerning the oath (upon many and sundry catching articles unto the preachers) *ex officio*, to entangle them: which one of them compared to the Spanish Inquisition.

After that his Majesty had, in most excellent and extraordinary manner, disputed and debated with them, and confuted their objections; being therein assisted now and then, for variety sake rather than for necessity, by the two Bishops before-named, from eleven of the clock until after fower; with some sharpe words amonge, he favourablie dismissed them for that tyme; requiring them to give their attendance here again on the Wednesdaie after, before himself and his Council, and all the Bishops, to receive such order and directions, as he should be pleased to give therein.

According to which appointment, we and they altogether presented our selves. And after that his Majesty had summarily repeated unto us what had passed between him and them on the Monday, and began to set down the courses he would have to be observed in some of the foresaid poynts in controversy, Mr. Chatterton and Mr. Knewstubbs moved his Highness, with all submission, to have the *cross* in baptisme utterly forborn, and *kneeling* at the Communion. Which being utterly for divers causes denyed them, yet by their importunitie on behalf of certain preachers in Lancashire, who had taken great pains against the Papists, and doone much good among the people, his Highness was contented, out of his princely clemencie, so far to condescend unto them, that a letter should be written to the Bishop of Chester, to bear with their weakness for some time, and not proceed over hastilie and roughlie against any of them, until, by conference between the Bishop and them, they might be persuaded to conforme themselves to us, and the 238
rest of their brethren; advising Mr. Chatterton and Mr. Knewstubbs, by their letters or otherwise, to deal with those preachers to submit themselves to the judgment of the Church, and to avoid all singularitie, the mother of schismes and disorder.

Which done, his Majesty assigned his Council and all the Bishops forthwith to go and consult together in the Council-chamber, as well upon the premisses that needed any amends, as also how religion might be planted upon the borders of England and Scotland, and likewise in Wales, but especially in his kingdome of Ireland; wherein he made demonstration of his exceeding princely care and godlie zeal, with most vehement and deep impression in all our ears and hearts, for the salvation of the souls of that forelorn people, and for the discharge of his own and all our Christian duties. Naming withall some whom he thought fittest to be employed, to take care for the expedition of that principal design.

Immediately whereupon, all the most honourable Privy Councel and wee going together, agreed to set down seve-

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ral courses for the better performance of all and every the matters afore-mentioned: some of them and us to employ our selves, some in one thing and some in another. The copy of which general project I will send your Grace so soon as I can procure it of my Lord Cecill; to whom his Highness did deliver it to be recorded in the council book: adding thereunto an earnest exhortation and charge unto both the Chancellors of the Universities there present, and to the Bishoppes, to be much more careful hereafter than heretofore, not to suffer any person in any college, that shall be given to defend any heresie, or disposed to maintaine any *schismatical tricks*, (as he termed them,) what other good giftes or eloquence soever they have. For the more learning, saith he, without humilitie and obedience, the more pernicious to Church and commonweale. Lastly, to look better to the education of noblemen and gentlemens sons, many of which he was informed to have been by Popish tutors and teachers dangerouslie corrupted.

And requiring the Bishoppes to be so much the more vigilant in their calling, as the adversaries are no less diligent than the Devil himself in perverting the people, we were most benignly and graciously dismissed for that tyme.

Thus much I thought it my duty in grosse to advertise your Grace, as I promised, presuming that some other, as Sir John Bennet, hath already or will shortly certify all in more particular: wishing that you had been here at the conference, which in my opinion would have wrought in you as great comfort and joy as ever happened to you in this mortal life; to see and hear so worthie a kyng and prieste in one person, with so sacred a majesty, to propose, discusse, and determyne so many, so necessarie, and so important matters, so readilie, so soundlie, as I never look to see or hear the like again. God, even the God of our fathers, prosper and protect his Highness and all his posteritie, as he hath rejoyced the hearts of all us, his humble and obedient Clergye; hoping also, that it will work, if not perfect contentment, yet much more quietness in all those that were before otherwise affected.

Thus, with my many humble thanks for your Graces late fatherly kindness at Bishopthorp, among the rest of your auncient accustomed favours, and with my most hearty salutations to good Mrs. Hutton, your vertuous yoake-fellow, I take my leave: betaking you both to the grace of God. At Kingstone upon Thames, this 19th of January, 1603.

Your Graces humble at commandment,
and for ever most assured,
Tobie Duresme.

When I was in the middest of this discourse, I received 239
a message from my Lord Chamberlaine, that it was his Majesty's pleasure that I should preach before him upon Sunday next; which *Scarborough warning* did not only perplex me, but so puzzel me, as no mervail if somewhat be pretermitted, which otherwise I might have better remembred.

Number XLVI.

King James to some person unknown in Scotland; concerning the Conference at Hampton Court between him and the Puritans.

MY honest Blake, I dare not say, *faced* 3. The letters talking of *deambulatorie* counsils, and such like satyrike trikis, did a little chafe me; but yee may see I answered according to the old scholar's rule, *In quo casu quæris, in eodem respondere teneris.* For I would be sorry not to be as constant indeed as she was, who called her self, *Semper eadem.* Indeed ye may tell the Beagil, that he had best cease to complain of me being a Peripatetike. For I will oftentimes walk so fast about and about with him, that he will be like to fall down dead upon the floure. I can give you no other thanks for your daily working and publike smiling upon me; onely this, do quhat you can, yee can give me no more argumentis of your faithful affection towards me; and do quhat I can unto you, I cannot never increase a haire the devotion of your service towards me.

Chap. xxxi. Cott. Librar. Vespasian, F. 3.

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We have kept such a revell with the Puritans here this two days, as was never heard the like: quhaire I have peppered thaime as soundlie as yee have done the Papists thaire. It were no reason, that those that will refuse the airy sign of the cross after baptism should have their purses stuffed with any more solid and substantial crosses. They fled me so from argument to argument, without ever answering me directly, *ut est eorum moris*, as I was forced at last to say unto thaime; that if any of thaime had been in a college disputing with thair scholars, if any of thair disciples had answered them in that sort, they would have fetched him up in a place of a reply; and so should the rod have plyed upon the poor boyes buttocks. I have such a book of thaires as may well convert infidels, but it shall never convert me, except by turning me more earnestly against thayme.

And thus praying you to commend me to the honest Chamberlain, I bid you heartily farewel.

James R.

Number XLVII.

The Archbishop of York to the Bishop of Durham; upon his having given that Archbishop intelligence of the death of Archbishop Whitgift.

To the right reverend Father, my very good Lord and Brother, the Bishop of Durmese.

Salutem in Christo.

Chap. xxxii. MSS. Ra. Thoresby, Armig.

I THINK my self very much beholden unto your Lordship, for your many pitthie kind letters. Your former good advertisements towching the late conference and Commissioners, &c. did pass somewhat slowlie; but your woeful letter of the heavie news of the death of that most reverend and worthy Archbishop, brought to me on Saturday last, came too too soon, the Lord God knoweth. Many (no doubt) may and do lament, that his Majesty hath lost a faithful good counsillor, the Church a great and notable

pillar and patron, and my self also have special cause to sorrow for the want of such an auncient, constant, and dear friend. It is a singular comfort and incouragement to us all, that his Highness vouchsafed so graciouslie to visit him: wherein, as in many other excellent vertues and things, he doth imitate his late dear sister, worthy Queen Elizabeth; who did alway bear and shew a special good affection toward him. God move his Majestyes royal and religious heart (the sooner the better) to make special choice of one to succeed him; and I think that either your Lordship, or my Lord of Winchester, is like to have the place: albeit, the dealing with the Sec [Secular] Priests against the Jesuits in her Majesty's time, is now said to be a good service, and that it was done only to advance his Majesty's title against the Spanish faction.

I send you and my Lord of London my proxy, jointly and severally, lest your Lordship should happen to be sick, &c. I pray you help Sir John Bennet to such copies or things as are to be sent hither, and must be confirmed by convocation. Thus beseeching God to bless your Lordship with his manifold graces, and that I may never see you more, (though I love you entyrely,) but that you may be placed there, to God's glory, the good of his Church, and your own contentment, I bid you most hartily farewel. From Bishopthorp, the viith of March, 1603.

Your good Lordship's very assured
Loving friend and brother,
Matth. Ebor.

Number XLVIII.

An epitaph upon Archbishop Whitgift; made by Dr. Ben. Charior, his Chaplain: in heroic verse.

WHITGIFTA Eborum Grimesbeia ad littora nomen Chap. xxxii.
Whitgifti emisit, felix hoc nomine Grimesbey.
Hinc natus: non natus ad hanc; mox mittitur hospes
Londinum. Inde novam te, Cantabrigia, matrem
Insequitur; supraque fidem suavi ubere crescit.

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Petro fit Socius, Pembro, Triadique Magister.
Fitque Pater matri, cathedræque Professor utrique.
E cathedrâ Lincolna suum petit esse Decanum.
Mox Wigorn petit esse suum. Fit Episcopus illic.
Propræses Cambris: quo nunquam acceptior alter.
Post annos plus sex summum petit Anglia Patrem.
Plusquam bis denos fuit Archiepiscopus annos.
Charior ELIZÆ dubium est, an Regi JACOBO.
Consul utrique fuit. Sis tu, Croidonia, testis,
Pauperibus quàm charus erat. Queis nobile struxit
Hospitium; puerisque scholam, dotemque reliquit.
Cælibis hæc vitæ soboles, quæ nata per annos
Septuaginta duos nullo enumerabitur ævo.
Invidia hæc cernens, moritur, Patientia vincens,
Ad summum evecto æternum dat lumen honori.

B. C. *Capellanus.*

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Number XLIX.

Libri MSS. a reverendissimo Johanne Whitgift, Archiepiscopi Cantuar. collegio S. Trinit. Cantabr. olim dati.

In folio.

Chap. xxxii.

1. PSALTERIUM grandi charactere. Latinè.
2. Annales Angliæ ab Hengisto ad annum 1302.
3. Apocalypsis S. Johannis, cum picturis.
4. Iterum cum picturis.
5. Rabanus Maurus de Laude S. Crucis. Saxonico charactere.
6. Augustinus in Evangelium S. Johannis.
7. Ejusdem Enarrationes super Psalmos, pars prima explicit in Psalmo 50.
8. Ejusdem Enarrationes, pars tertia, orditur a Psalmo 101, explicit in fine libri Psalmorum.
9. Ejusdem de Genesi ad literam libri 12.
10. Ejusdem Flores a Beda collecti in Epistolam ad Romanos, et primam ad Corinthios.

11. Historia Sacra Legis.
Speculum ex Moralibus S. Gregorii collectum.
S. Augustini Homiliæ 10. in Epistolam Johannis.
Epistola Paschalis ad Anselmum Archiep. Cantuar. dat. Lateran. 16 Kal. Dec. Ind. xii.
12. Hieronymus in Esaiam a cap. 1mo. ad 11^{um}.
13. Idem in Esaiam a cap 11^{o}. ad 18^{um}.
14. Idem in Jeremiam ad cap. 32.
15. Idem in Ezechielem, cap. 14.
16. Idem in Psalmos.
17. Ejusdem Epistolæ 55.
18. Idem in Prophetas Minores, et Danielem.
Beda de Temporibus cap. 6. de Hebdomade.
19. Mattheus et Marcus glossati.
20. Pet. de Riga Paraphrasis libr. aliquot N. Test. Versibus Hexametris et Pentametris.
21. Sermo S. Hieronymi de Assumptione B. Mariæ.
Sulp. Severus de Vita S. Martini, cum aliquot Epistolis.
Vita S. Nicolai.
22. Paralipom. Esdras, Nehemias, Tobias, Judith, Esther, et lib. Macchab. glossati.
23. Parabolæ, Sapientia, Ecclesiasticus, glossati.
Stephani Archiep. Cant. Glossæ in Pentateuchum.
24. Epistolæ Pauli glossatæ, cum tab. vocabulorum.
25. Prophetæ 12 Minores glossati.
26. SS. Biblia, Latinè.
27. Catena in Epistolas Pauli.
28. Pet. Lombardus in Epistolas Pauli.
29. Aquinatis Summæ pars 1ma.
30. Aquinas in tertium Sententiarum.
31. Idem in quartum Sententiarum.
32. Lombardi Sententiarum libr. 4.
33. Pet. Comestoris Historia Scholastica, cum tabulis genealogicis præmissis.
34. Hieronymus in sex priores Prophetas Minores.
35. Idem in Esaiam.. 242

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36. Hieronymus in Jeremiam.
37. S. Augustinus de SS. Trinitate, libr. 15.
38. S. Augustini Confessionum libr. 13. et de diversis Hæresibus.
39. Idem de Agone Christiano, Quæstiones 65. Orosii Presbyteri: et totidem Responsa S. Aug. Sermones S. August. Maximi Faustini, Petri Ravennatis, S. Hieronymi, Isidori et Eusebii Cæsariensis.
40. S. Augustinus de adulterinis Conjugiis, de Mendacio. Contra Mendacium. De Curâ pro mortuis agenda.
    De vera Religione; de Natura et Origine Animæ, ad Renatum.
    De eadem re ad Petrum. De eadem re ad Vincentium Victorem libr. 2. Sermo Arrianorum.
41. Ejusdem contra Adversarium Legis et Prophet. lib. 2.
42. S. Ambrosii Expositionum in S. Lucam libr. 9.
43. Ejusdem Epistolæ. Idem contra Auxentium de tradendis Basilicis, de Traditione Basilica; de Obitu Theodosii Imperatoris.
    De Sanctis Protasio et Gervasio.
44. Remediarium Conversorum, a Petro Archidiacono Londinensi, ut in Prologo orditur, è Gregorii Moralibus excerptum.
45. S. Chrysostomi Homiliæ 41. in S. Johannem, Latinè. Per Fran. Aretinum.
46. Ejusdem Homiliæ in Sanctum Mattheum.
47. Beda in Sanctum Lucam.
48. ——Ejusdem Allegoricæ Expositiones in Samuel, lib. 4.
49. MSS. Evangeliorum à Beza missi, et in Bibliotheca publica Academiæ servati, Apographum.
50. Prophetæ 12. glossati.
51. Libri Josue, Judicum, et Ruth, glossati.
52. Iterum Libri Josue, Judicum, Ruth, Paralipomenum, glossati.
53. Angelomi Explanatio in quatuor libros Regum.

54. Rabanus Maurus in Genesin. Ejusdem Explanationes in reliquum Pentateuchi.
55. Secunda pars Explanationis in Genesin.
56. Libri Regum glossati, cum Interpretatione Nominum Hebræorum.
57. Matthæus et Marcus glossati. Liber incipit à sexto capite Matthæi.
58. Stephani Cantuariensis Expositio Moralis in Esaiam.
59. The Pentateuch in old English.
60. S. Matthæus glossatus.
    Anselmus in S. Johannem.
    Sermo Augustini in *Verbum caro factum est.*
61. J. Fox on the Revelations.
    An ancient Copy táken out of the Antiquity of the Revelation of St. John.
62. Hesychii Presbyteri Hierosolymitani in Leviticum, libr. 7.
63. Homiliæ Joannis de Abbatis-Villa, Sabinensis Episcopi et apostolicæ sedis Cardinalis, per omnes Epistolas et Evangelia Dominicalia totius anni.
64. Excerpta ex Decretis Pontificum Romanorum, et Collectio Canonum Conciliorum.
65. Alexander de St. Albano de Naturis Rerum.
66. Legendæ Sanctorum per Jacobum Januensem, de Ordine Fratrum Prædicatorum.
67. Collectio Amularii, de Ordine Rom. Ecclesiæ; qui vocat *Liber Officialis.*
68. Bartholomæus Anglus de Proprietatibus Rerum. Leguntur in fine Versus de Virtutibus Lapidum; de quibus Evax Rex Arabum Neroni scripsisse fertur.
69. De Combustione Ecclesiæ Cantuariensis.
    Chronica Gervasii.
70. Titi Livii Decas tertia.
71. Reyneri de Pisis Pantheologiæ, pars prima.
72. Pars secunda.
73. De sacris Numeris, per Morimundensis Ecclesiæ Priorem.

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74. Dionysius de Hierarchiis.
Homilia Gregorii super extremam partem Ezechielis.
Liber de Christiana Disciplina, secundum Augustinum.

75. Figura S. Bibliorum, cum variis tabulis in B. Augustinum, Isidorum, &c.

76. Historia Rerum Angliæ à Bruto ad annum 1356, Gallice.
——In fine quædam sunt de Pestilentia, &c.
——Carmina continen. res gestas Edwardi Tertii per Rob. de Evesham.

77. Heraclides de Vitis S. Patrum ad Lausum præpositum Palatii.

78. Dionysii Areopagitæ Hierarchia, quam Johannes Erigena transtulit de Græco in Latinum, jubente ac postulante Rege Carolo Ludov. Imp. filio.

79. Ricardi Ullerston Oxon. A. D. 1408, Tractatus, qui intitulatur,
Petitiones quoad Reformationem Ecclesiæ militantis.
———Ejusdem de Officio Militari.
Pet. de Alliaco de Ecclesiasticâ Potestate.
Ægidius Romanus de Peccato Originali.
Tract. de Adoratione Imaginum.
Epistola Augustini ad Cyrillum, et Cyrilli ad Augustinum.
Tract. Rob. Lincolniensis, de Potestate et Cura Pastorali, et verba illius coram Papâ.

80. Beda super Epistolas Jacobi, 2. Petri, 3. Johannis, et Judæ.

81. Will. Malmsburiensis de gestis Pontificum Angliæ.

82. Epistola Fratrum Remensis Cœnobii, ad Fratres Monasterii in Monte Cassino constituti.
Epistolæ B. Benedicti ad Remigium, quibus præmittuntur Dialogorum Gregorii lib. 4.

83. Hieronymus de Hebræis Quæstionibus in Genesin, Libros Regum, et Paralipomenum.
Idem de Mansionibus Filiorum Israel.
Idem de Distantiis Locorum Vet. Test. et Evang.

Hieronymus de Interpretationibus Hebræorum Nominum Vet. et Novi Testamenti.

Alphabetum Hebr. et Græc. cum suis Interpretationibus.

Notæ divinæ Legi necessariæ.

De decem Tentationibus.

Canticum Deboræ.

Lamentationes Jeremiæ.

Epistola Hieronymi ad Dardanum, de Musicis Instrumentis.

De Vocibus minus notis Vet. Test.

Notulæ 12 Signorum, secundum Chaldæos.

Multæ Sententiæ utiliter expositæ de Vet. et Nov. Testamento.

Expositio Decalogi satis ampla, et Orationis Dominicæ usque ad *panem quotidianum*, &c.

84. Heidelberti Epistolæ, et Versus Rhythmici.

S. Augustinus de Moribus Ecclesiæ Catholicæ, et de Moribus Manicheorum.

——Expositio quarundam Propositionum ex Epistolâ Pauli ad Romanos.

——Expositio Epistolæ ad Galatas.

85. Chrysostomus de Reparatione Lapsi.

——De Compunctione. De quinquagesimo Psalmo, lib. 2.

——De eo, quod nemo læditur nisi à seipso.

——Sermo, cum de ejus Expulsione ageretur.

——Sermo ejusdem, post reditum à priore exilio.

——Sermo, cum de Asiâ regressus esset Constantinus.

——Sermo, de Proditione Judæ.

——Sermo, de Cruce et Latrone.

——Sermo, de Cruce.

——Sermo, de Ascensione Domini. 244

——Lib. 4. Dialogorum B. Gregorii.

86. Liber Distinctionum Guil. de Mortibus, Ecclesiæ Lincolniensis Cancellarii.

87. Gregorii Homil. in Ezechielem, lib. 2°.

88. Jo. Cassiani Anachoritæ, lib. 20. cum præfatione Jo.

BOOK IV.

Eremitæ missa ad Papam Leontium et ad Helladium fratrem.

89. Gervasii Cantuariensis Chronicon.
Continuatio ejusdem Chronici usque ad tempora Ricardi Secundi, per Jo. de Londino.
90. Vitæ Sanctorum, Anglicis metris.
91. Henrici Huntingdonensis Archidiaconi Historiæ Anglic. libr. 8.
Lib. de Bello Hierosolymitano; amplior eo qui primus est inter libros de gestis Dei per Francos, Autoris Anonymi.
Hen. Huntingdonensis lib. nonus Hist. Anglic.
——Decimus, de Summitate Rerum.
——Undecimus, continens Epigrammata.
92. Ranulphi Chykedon, vel Higden, Monasterii S. Werburgæ Cestrensis Monachi, Polychronicon: continens lib. 7. cum continuatione ejusdem.
93. Lives of the three Kings of Culleyn.
Caxton's Chronicle.
94. Gyraldi Menevensis Archidiaconi, Speculum Ecclesiæ, vel Gemma Ecclesiastica.
95. Speculum Vitæ Christi, Anglicè.
96. Martini Poloni Chronica de Imperatoribus.
97. Calendarium et Tabulæ Astronomicæ.
Lib. vocatus *Cosmographia*, qui terminabatur anno Dom. 1408. cum initio Martini.
98. Homiliæ quædam, Saxonicè.
99. Matthæus et Marcus glossati.
100. Lucas glossatus.
101. Proverbia et Ecclesiastes glossati. Habetur hic Præfatio Hieronymi quæ in impressis deest.
102. Deuteronomium glossatum.
103. Epistolæ Pauli glossatæ.
104. Psalterium, cum cæteris S. Scripturæ Canticis, glossatum, à Ricardo Hampole Eremitâ.
Ejusdem Expositio super 11. Lectiones quæ leguntur in Obsequiis Mortuorum.
Libellus de Emendatione Vitæ.

105. Berengandes sive Berengarius Turonensis, Archidiaconus Andegavensis, in Apocalypsin.
Idem in Cantica Canticorum.
106. Hieronymus super Matthæum.
107. Pontificale Romanum, tempore Philippi et Mariæ.
108. Leviticus glossatus.

Libri manuscripti in quarto.

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1. Petri Blesensis Epistola.
Ric. Hampole de Emendatione Vitæ.
Hugo De Sancto Victore, De Epistola Cypriani ad Nepotianum, De Forma Vivendi. Hæc vero videtur esse tantum Hieronymi Epistola ad Nepotianum contracta.
Excerptum de Contemplatione, è Bonaventura de Vita Christi.
2. Origenis octo Homiliæ de quibusdam gestis in Libro Judicum.
Sermo ejusdem prolixus de Principio primi Libr. Regum, et Cantici Annæ.
Cæsarii Sermones de Paschate.
Leonis Sermones de Jejunio decimi mensis.
Ejusdem Sermones de Natali Domini.
3. Gregorii Pastorale.
4. Summa Alcuini.
5. Hieronymus in Esaiam.
6. Idem in Jeremiam.
7. Liber Sapientiæ glossatus.
8. Evangelium Sancti Matthæi glossatum.
9. Evangelium Sancti Johannis glossatum.
10. Numerorum Liber glossatus.
11. Acta Apostolorum glossata.
12. Liber, qui vocatur Alexandri, continens multas, sub illius et aliorum Regum nominibus, epistolas cum gestis.
Liber qui Aristotelis dicitur, de Secretis Secretorum.
Mart. Poloni Chronica de gestis Pontificum et Imperatorum.

BOOK IV.

13. Guil. Malmsburiensis de gestis Regum Angliæ.
Ejusdem novella Historia.
14. Psalterium, Græcè.
15. Johannis Chrysostomi Expositio in Epistolam Pauli ad Hebræos.
Ejusdem Homiliæ 35. ad Theodorum Monachum, ... Epistolæ.
Ejusdem Sermones 2. de Militia Spirituali et Christianâ.
16. Constitutiones provinciales Curiæ Cantuariensis.
17. Anselmi, Cur Deus Homo.
Ejusdem Prosologion.
Ejusdem Epistolæ variæ.
Liber de Sphærâ, cum Calendario.
18. Distinctiones Holcot.
19. Giraldi Cambrensis Epistolæ.
—— Cosmographia.
Ejusdem alia multa opuscula.
20. Hieronymus in Ecclesiasten.
21. Materia capitulorum omnium librorum Vet. et Novi Testam.
Vocabularium, secundum ordinem scholasticum.
Rob. Grosthead Lincoln. Episc. Sermones.
Tractatus cujusdem de Pœnitentiâ.
Jo. de Abbatis Villa opuscula quædam.
Testamentum 12. Patriarcharum è Lincolniensi translatum.
21. Narratio è Suida, translata ab eodem.
Sermones et Excerpta è Patribus aliquot.
Exceptiones Decretalium.
Sermones varii variorum.
22. Epistolæ glossatæ.
Apocalypsis glossat.
Precationes variæ.
246 23. Ecclesiastes et Canticum Canticorum glossat.
Tobiæ Liber, cum variis Tractatibus.
24. Controversy between Archbishop Whitgift, Pet. Baro, &c. with some original papers.

25. Magistri Petri Cantoris Parisiensis Verbum abbreviatum, cui additur Tractatus brevis contra Proprietatem Monachorum.
26. The Chastning of God's Children.
Dubia de Passione.
De x. Mandatis, Anglicè.
De Psalterio, secundum Lyram.
De Peccatis, liber Anglicus.

Libri manuscripti in octavo et duodecimo.

1. Tractatus varii, tam Anglicè quam Latinè, contra Fratres, et Religionem de Imaginibus, &c.
2. Precationes, Meditationes, &c.
3. Versus qui incipiunt, *Papa stupor mundi.*
Versus resonantes de Excidio Trojæ, &c.
Liber de Arte Poetica, in quo multa ex Poetis citantur, præcipue ex Horatio de Arte Poetica, et ex Alano de Planctu Naturæ.
4. Expositio in Matthæum, Anglicè, et in Johannem Evang.
5. Homiliæ Anglicæ.
6. Miracula Thomæ Martyris.
7. Manuale Sacerdotis per Jo. Markum, Priorem de Litashill in comitatu Salopiæ.
Tractatus aliquot in Psalmos.
Dietarium, Itinerarium, &c. Versus Anglici.
8. Bishop Regin. Peacock's Sermons.
9. Pet. de Urbe, seu Prothodosius, de Re Juridica, opus varium.
10. Biblia Latina S. Hieronymi.
11. Rythmus Anglicus, cum Homiliis Anglicis.
12. Augustini variæ Epistolæ.
13. Summula in Magistrum Historiarum.
Breviarium S. Bernardi.
Curia Dei Omnipotentis; et Curia Maledicti Diaboli.
14. Matthæus glossatus; seu pars ejus Evangelii.
15. Epistolæ Pauli in analysin redactæ.
16. Epitome Chronicorum ab initio mundi ad annum 1427.

BOOK IV.

17. Sulpitii Severi Epistolæ ad Claudiam sororem suam, de ultimo Judicio.
Alia ad eandem, de Virginitate.
Sancti Chrysostomi Vita, per Leonem, &c.

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Number L.

Hutton, Archbishop of York, to Cecill, Lord Cranborn; in answer to the Council's letter, for suppressing the Puritans. With his notice concerning the increase and confidence of Papists at this time.

Salutem in Christo.

Ch. xxxiii. MSS. Mich. Hicks, de Ruckholts, Eq. Aurat.

I HAVE received letters from your Lordship, and others of his Majesty's most honourable Privy Council, concerning two points. First, That the Puritans be proceeded against according to law, except they conform themselves. Secondly, That good care be had unto greedy patrons; that none be admitted in their places but such as are conformable, and otherwise worthy for their virtue and learning.

I have written to the three Bishops of this province, and in their absence to their Chancellors, to have a special care of this service. And therein have sent copies of your honourable letters; and will take present order with mine own diocese. I wish with all my heart that the like order were given, not only to all Bishops, but to all Magistrates and Justices of peace, &c. to proceed against Papists and Recusants; who of late, partly by this round dealing with the Puritans, and partly by some extraordinary favour, have grown mighty in number, courage, and insolency.

The Puritans, whose fantastical zeal I mislike, though they differ in ceremonies and accidents, yet they agree with us in substance of religion. And I think all, or the most of them, love his Majesty and the present State; and I hope will yield to conformity. But the Papists are opposite, and contrary in very many substantial points of religion; and cannot but wish the Pope's authority and popish religion to be established. I assure your Honour it is high time to look to them. Very many are gone from all

places to London; and some are come down into this country in great jollity, almost triumphantly. But his Majesty, as he hath been brought up in the Gospel, and understandeth religion excellently well, so he will, no doubt, protect, maintain, and advance it, even unto the end. So that if the Gospel shall quail, and Popery prevail, it will be imputed principally unto you, great Counsillors; who either procure, or yield to grant, toleration to some, &c.

Good, my Lord Cranborn, let me put you in mind, that you were born and brought up in true religion. Your worthy father was a worthy instrument to banish superstition, and to advance the Gospel. Imitate him in this service especially.

As for other things, as I confess I am not to deal in State matters, yet as one that honoureth and loveth his most excellent Majesty with all my heart, I wish less wasting of the treasure of the realm, and more moderation in the lawful exercise of hunting; both that poor mens corn may be less spoiled, and other his Majesty's subjects more spared.

The Papists give it forth, that they hope that the eccle- 248
siastical commission shall not be renewed any more. Indeed it stayeth very long, albeit here is great want of it. I pray your Honour further it. Sir John Bennet will attend your Lordship. Thus beseeching God to bless your Lordship with his manifold graces, that you may as long serve his most excellent Majesty as your most wise father did serve most worthy Queen Elizabeth, I bid you most heartily farewel. From Bishopthorp, the xviiith of December, 1604.

Your good Lordships in Christ most assured,
Matthew Ebor.

THE END OF THE APPENDIX.

THE

NUMBERS AND TITLES

OF THE

RECORDS, LETTERS, AND OTHER ORIGINAL WRITINGS,

EXEMPLIFIED IN THE

APPENDIX;

WITH THE BOOKS AND CHAPTERS WHEREIN EACH OF THEM IS MENTIONED.

BOOK I.

NUMBER I. A charter of lands in Staynburn in the East Riding of Yorkshire; granted to the Abbot and Convent of St. Mary's in York, by John Fitz Adam de Whitgift. Chap. i.

Number II. The Fellows of Pembroke hall in Cambridge, to Grindal, Bishop of London; upon their election of Whitgift to be their Master; and the departure of Dr. Hutton, their former Master. Chap. ii.

Number III. The foundation of one Bible Clerk in Peterhouse, by Dr. Whitgift, and Mrs. Margaret Fulnetby, of Teversham, widow.

Number IV. Dr. Whitgift to Secretary Cecil; in vindication of himself from false reports, as not sufficiently qualified for the mastership of Trinity college.

Number V. The Vice-Chancellor, and certain other Masters of houses in Cambridge, to the High Chancellor of the said University, Sir William Cecil; to obtain the Queen's dispensation with the King's Readers in the vacant quarter. Chap. iii.

Number VI. Minutes of the Queen's dispensation, drawn up by order and direction of the Chancellor of the University; (for ceasing the reading of lectures there in the Midsummer

quarter;) to the Master and Fellows of Trinity college in Cambridge.

Number VII. The Master and Fellows of Trinity college in Cambridge, to Sir William Cecil, Knight, declaring the inconveniences to come to the college, by the election of scholars from Westminster school.

[Number VII.] The humble request of Dr. Goodman, Dean of Westminster, to the Lord Treasurer; to procure the ratification of certain statutes made for the collegiate church of Westminster, and the grammar school there.

Chap. iv. Number VIII. Dr. Whitgift to Sir William Cecil, High Chancellor of the University of Cambridge: shewing him some of Mr. Cartwright's tenets; and the drawing up of new statutes for the University.

Number IX. The proceedings of the Heads of the University with Mr. Thomas Cartwright, B. D. Lady Margaret Professor; for his readings.

Chap. v. [Number IX.] A faculty granted by the University to Dr. Whitgift, to preach throughout the kingdom; constituting him one of the University Preachers.

Chap. vi. Number X. The judgment of that reverend Father, Jewel, sometime Bishop of Sarum, on this assertion, (styled by him in the margin of his paper, *Novitiorum assertio,*) *Archiepiscoporum et Archidiaconorum nomina, simul cum muneribus et officiis suis, sunt abolenda.*

Chap. vii. Number XI. The Vice-Chancellor and Heads of the University of Cambridge, to the Lord Burghley, their High Chancellor; giving an account of the reason of their expelling Mr. Chark, Fellow of Peter-house, for his sermon at St. Mary's.

Chap. viii. Number XII. The contents of a sermon, preached at St. Mary's in Cambridge, by one Millayn, Fellow of Christ's college; against the ministry of the Church of England.

Number XIII. A privilege of the University of Cambridge: that all members thereof be tried there, and in no other court, for debts, accounts, misdemeanors, &c.

Number XIV. A clause of an act of Parliament; confirming the Queen's letters patents to the University, in respect of their privileges.

Number XV. The Vice-Chancellor, Dr. Whitgift, and some other Heads of the University, to the Lord Treasurer Burghley,

their Chancellor; giving account of their proceedings in a controversy between the Master of Benet college and the Fellows of the same.

Number XVI. Sandys, Bishop of London, to the Lord Treasurer Burghley, and the Earl of Leicester, concerning seditious preachers at St. Paul's Cross. The great favour Cartwright and his book obtains in the City. Chap. ix.

Number XVII. Dr. Whitgift to the Lord Treasurer, Lord Burghley; when he sent him his Defence of his book against Cartwright's Reply. Chap. x.

Number XVIII. Dr. Perne, Vice-Chancellor, and the Heads of the houses in Cambridge, to the Lord Burghley, their Chancellor; to moderate some statutes, whereby the University had not any power to dispense in giving of degrees. Chap. xi.

Number XIX. A copy of certain words uttered by John Cock, Student and Fellow of St. John's college, before his beginnings to certain exercises, as well of *common place*, so called, as other his readings intended by him; to answer a statute of that house, *de Lectione Biblii*, what time he took to read the Epistle to the Hebrews. Chap. xii.

Number XX. Dr. Still, Master of St. John's college, to the Lord Burghley; upon his nomination by the Queen to succeed Dr. Whitgift in the mastership of Trinity college. Chap. xiii.

BOOK II.

Number I. The patent granted to Dr. Whitgift, Bishop of Worcester, by Garter King at Arms; for the bearing of arms. Chap. i.

Number II. The Privy Council to the Bishop of Worcester, Vice-President of the Council for the Marches in Wales; notifying the Lord President's coming. Chap. ii.

Number III. Cox, Bishop of Ely, to the Lord Treasurer Burghley; acquainting him with the news sent him from Switzerland, of the dangerous condition of this realm from the Pope.

[Number III.] A Book of Articles (thirteen in number) offered in the last session of Parliament, anno 23 Eliz. 1580, for ecclesiastical causes: with an answer to the same from the Bishops.

Number IV. Peter Baro, Lady Margaret's Professor of Di-

vinity, to the Lord Treasurer; for some augmentation of his livelihood. Anno 1580.

Chap. iii. Number V. Minutes of the Lords' letters to the Dean and Chapter of Litchfield; for establishing of a lecture of Divinity there.

Chap. iv. Number VI. John, Bishop of Wigorn, to the Lord Treasurer; for stay of the parsonage of Lugwarden, belonging to the church of Hereford, pretended to be concealed.

BOOK III.

Chap. i. Number I. The congratulatory epistle of the University of Cambridge to the Archbishop; upon his advancement to the see of Canterbury.

Chap. iv. Number II. A commission from the Archbishop, made to the Lord Bishop Suffragan of the see of Dover; to confirm children and confer Orders.

Number III. The Archbishop's sermon, preached at the cathedral of St. Paul's, London, November the 17th, being the anniversary day of Queen Elizabeth's coming to the crown.

Number IV. Apud Lambith, May 1584. Articuli sive interrogator. objecta et ministrat. ex officio mero C. D. Rectori, &c. coram reverendissimo Patre Johanne Cantuar. Archiepiscopo C. M. D. G. &c. Commissariis et Delegatis regiæ Majestatis ad causas ecclesiasticas per literas patentes magno sigillo Angliæ, ritè et legitimè fultis ad omnia infrascripta, &c.

Chap. v. Number V. Some points in Mr. Beal's book; exhibited to the Archbishop of Canterbury: and the absurdities and inconveniences which follow thereof.

Chap. vi. Number VI. Mr. Beal's letter to the Archbishop, vindicating himself from something laid to his charge by the said Archbishop.

Chap. vii. Number VII. A note of the number and degrees of the Preachers within the several dioceses of the province of Canterbury, as well of those which have yielded to conformity, as of such as have refused so to do.

Number VIII. Sir Francis Knowles to the Archbishop of Canterbury; to open the mouths of the suspended Ministers.

Number IX. The Lord Treasurer Burghley to the Archbishop of Canterbury; disliking his four and twenty articles of inquiry into Ministers' conformity.

Number X. The Archbishop to the Lord Treasurer; in vindication of his proceedings against such as refused to subscribe; and particularly two Ministers recommended to him by the said Lord.

Number XI. The Archbishop of Canterbury to the Lord Treasurer; vindicating himself in his proceedings against such as refused to subscribe; and in examining them by the twenty-four articles. Chap. viii.

Number XII. Mr. Walter Travers to the Lord High Treasurer; justifying his orders taken beyond sea, to qualify him for the mastership of the Temple. Chap. ix.

Number XIII. The humble petitions of the Commons of the Lower House of Parliament, to be offered to the consideration of the Right Honourable the Lords Spiritual and Temporal of the Higher House. Chap. x.

[Number XIII.] Answers to the sixteen articles.

Number XIV. Articles presented to the Queen's Majesty by the Archbishop of Canterbury and others; for reformation of divers disorders in the Church.

Number XV. An argument of Archbishop Parker, in defence of the Court of Faculties. Chap. xi.

Number XVI. Means how to settle a godly and charitable quietness in the Church, &c. with the answers of the Archbishop to them.

Number XVII. Certain acts to be made; but to be first considered by the Convocation, and to come from them.

Number XVIII. Decreta Cleri Cantuariensis in Synodo Londini, anno 1584. Chap. xii.

Number XIX. The option of the prebend of Layton Buzzard, granted to the Archbishop by Wickham, confirmed Bishop of Lincoln.

Number XX. Literæ significatoriæ, ad vim laicalem amovend. in ecclesia de Pevington.

Number XXI. Commissio ad vindicand. Clericos convictos in villa de Croydon.

Number XXII. The answer of Wolton, Bishop of Exon, to an information, consisting of fifteen articles, brought against Chap. xiii.

him to the Archbishop of Canterbury, and others of the ecclesiastical commission.

Number XXIII. Assertions of Anthony Randal, of the sect of the Family of Love, Minister of Lydford. For which he was deprived by the Bishop of Exon, in the year 1581.

Number XXIV. Rules and ordinances, made and set forth by the Archbishop of Canterbury, and Lords of the Privy Council, in the Star-chamber, for redressing abuses in printing.

Chap. xiv. Number XXV. A question put to Piers, Bishop of Sarum, Whether a prince may defend the subjects of another prince, from being forced to commit idolatry: propounded with respect to the Queen's assisting the oppressed Netherlands: with the said Bishop's answer. It begins with other previous questions.

Number XXVI. Inconveniencies arising by farming forth the first-fruits and tenths of ecclesiastical livings; and by the commission to enhance the same.

Chap. xv. Number XXVII. The University of Oxford to the Lord Treasurer; praying that a privilege of theirs might not be infringed: which was, that none be compelled within five miles of that city to supply provisions to the Court.

Number XXVIII. Reasons to prove that the Aldermen and Burgesses of Oxford ought to take their oath, without a *saving* of the liberties of the town.

Number XXIX. Articles to be inquired upon in the visitation of the diocese of Chichester, *sede vacante*, by the authority of the most reverend Father in God, John, Archbishop of Canterbury, Primate of all England, and Metropolitan.

Chap. xvi. Number XXX. Mr. Travers's reasons; that his being made Minister at Antwerp should not be sufficient cause of his restraint; or, that he ought to be made Minister again. With Archbishop Whitgift's marginal animadversions thereupon.

Chap. xvii. Number XXXI. The sum of a speech in Parliament, anno 1586, upon the Bill and Book of the Puritans, then offered.

Number XXXII. Orders for the better increase of learning in the inferior Ministers; and for more diligent preaching and catechising: agreed upon by the Archbishop and other Bishops in Convocation.

Number XXXIII. The instrument of the benevolence of the Clergy in Convocation to the Queen, anno 1586. Offered by the Archbishop.

Number XXXIV. Mr. Treasurer of the Household his opinion, touching her Majesty's safety; upon the discovery of Babington's plot, to kill her, and to set the Scotch Queen upon the throne. Written as a Privy Counsellor, now absent from the Court, July the 6th, 1586. Chap. xviii.

Number XXXV. Means for the stay of the declining and falling away in religion.

Number XXXVI. The Lord Treasurer to divers Bishops; to inform them of the conditions of the Justices of peace in their respective dioceses. September the 14th, 1587. Chap. xix.

Number XXXVII. The Archbishop and Lord Treasurer, to the President and Fellows of St. John's college, Cambridge; to receive again Mr. Digby as a Fellow of their house.

Number XXXVIII. The Archbishop's circular letter to the Bishops of his province; for the Clergy's finding arms this dangerous year of 1588.

Number XXXIX. A paper of arguments for the Queen's supreme power in causes ecclesiastical. Chap. xx.

Number XL. The inscription upon the monument of Edwin Sandys, sometime Archbishop of York, in the collegiate church of Southwel in Nottinghamshire. Chap. xxi.

Number XLI. A proclamation against seditious and schismatical books, libels, &c.

Number XLII. A collection of slanderous speeches in Martin Marprelate's books, against Archbishop Whitgift. Chap. xxii.

Number XLIII. An answer to two questions propounded by a Privy Counsellor, concerning Bishops and their superiority. Chap. xxiii.

Number XLIV. A private discourse of Dr. Hutton, Bishop of Durham, with the Lord Treasurer and Secretary Walsingham; in favour of episcopacy, &c. related by himself in a letter to Archbishop Whitgift. Chap. xxiv.

Number XLV. Robert Browne's letter to the Lord Treasurer; concerning his Latin tables and treatise; for rectifying the knowledge of arts and sciences by the word of God.

BOOK IV.

Number I. Thomas Cartwright, to the Lord Treasurer; to pacify the Queen's displeasure towards him; being now under the arrest of the commission ecclesiastical. Chap. ii.

Number II. A short discourse, being a judgment of several of the most learned Doctors of the Civil Law, concerning the practice of their courts, and of the oath *ex officio*.

Chap. v. Number III. The doctrine, with some practices of sundry troublesome Ministers in England, tending to the creating of a new pretended discipline, and to the overthrow of her Majesty's government and prerogative, as well in causes civil as ecclesiastical: with the opinion of the Chief Justices and learned Council thereupon.

Chap. vi. Number IV. The prosecution of Thomas Cartwright and others, upon an information against them in the Star-chamber, anno 1591. Containing the bill and their answer.

Number V. A submission sent by Mr. Attorney General to Cartwright and his fellows in prison; to be by them generally subscribed, for their acknowledgment of the supremacy: but refused.

Number VI. The humble request of Thomas Cartwright, and other Puritans in prison, to the Lord Treasurer; that they might be bailed, without giving cautions and conditions. March the 1st, 1591.

Number VII. Some Doctors of the University of Cambridge to the Lord Treasurer; to be favourable to the true and peaceable preachers of the Gospel.

Number VIII. Interrogatories to be administered, on the behalf of Thomas Cartwright, Humphrey Fen, Edward Lord, Edmund Snape, Andrew King, Daniel Wight, William Proudlove, Melancthon Juel, and John Paine, prisoners and defendants in the most honourable Court of Star-chamber, to some of those which are to be examined on the behalf of her Majesty, against the defendants, or any of them.

Number IX. The answer of Henry Alvey, Thomas Edmunds, William Perkins, Edmund Littleton, John Johnson, Thomas Stone, Thomas Barber, Hercules Cleavely, and Anthony Nutter; deposed on her Majesty's behalf. Of which Mr. Alvey, being the first, as one never present with any of the defendants, or others in the conferences now in question, cannot depose.

Number X. The answer of Thomas Stone, Thomas Barber, Anthony Nutter, and Hercules Cleavely; deposed on the behalf of the defendants.

Chap. vii. Number XI. Eusebius Pagit, Preacher, to the Lord Admiral;

for favour, who being an enemy to schism, was, notwithstanding, turned out of his living, and forbidden to teach school.

Number XII. The Archbishop of Canterbury to the Bishops of his province; for the better observance of catechising and confirming of youth.

Number XIII. Monsieur Castoll, Minister of the French Church, London, to the Lord Treasurer; shewing the poverty of that congregation; unable to bear any charge for France.

Number XIV. A circular letter of the Archbishop of Canterbury, to the Bishops of his province; to send an exact certificate of all the beneficed Clergymen and Curates of their respective dioceses: upon the Queen's command. Chap. viii.

[Number XIV.] Excerpta ex Concione Magistri Doctoris Andrews ad Clerum: habita Londini, in æde Divi Pauli, in Comitiis Pananglis, anno 1592. Chap. ix.

Number XV. Ordinances made by the Archbishop of Canterbury for All Souls college, Oxon; upon a visitation of the said house, for explanation of the statutes.

Number XVI. The instrument of the Archbishop; nominating officers for the college of All Souls, Oxon.

Number XVII. Mr. Richard Hooker to the Lord Treasurer; when he sent him the written copy of his Ecclesiastical Polity.

[Number XVII.] Theodore Beza, to Whitgift, Archbishop of Canterbury, from Geneva. Chap. x.

Number XVIII. John Penry's protestation before his death: sent to the Lord Treasurer.

Number XIX. An epistle of thanks to the Archbishop from the University of Cambridge, for a considerable benefit done them. Chap. xi.

Number XX. Fletcher, Bishop of London, his letter to the Lord Treasurer; to obtain access to the Queen's presence, as before he was wont to have. Chap. xiii.

Number XXI. Mr. Thomas Cartwright to Michael Hickes, Esq. from the Isle of Guernsey; with a form of prayer, sent him according as he had desired. September 20, 1595. Chap. xiv.

Number XXII. Mr. Barret's retractation of some points delivered by him in his Clerum at St. Mary's, anno 1595.

Number XXIII. A copy of Mr. Barret's Propositions, which

he held at St. Mary's in Cambridge. As given out and dispersed by some of St. John's college.

Number XXIV. Dr. Saravia's learned Censure of Barret's Recantation.

Chap. xv. Number XXV. Dr. Whitaker to the Archbishop; in favour of the proceedings of the Vice-Chancellor and Heads against Mr. Barret.

Chap. xvii. Number XXVI. Dr. Peter Baro's orthodox explanation of the nine Propositions concluded upon at Lambeth: sent by him to the Archbishop.

Chap. xviii. Number XXVII. Prima conventio Doctoris Barow coram Procancellario et Præfectis collegiorum, Januar. 17, 1595.

Number XXVIII. Dr. Baro's letter to the Lord Burghley, Chancellor of the University; by way of apology, and appeal to him for his doctrines, for which he stood charged.

Number XXIX. Interrogationes, desumptæ et conceptæ partim ex schedula quadam per Magistrum Ashton et alios, contra Doctorem Barow, exhibit. et partim ex accusatione eorundem verbo tenus, ad investigandam veritatem de concione ejusdem.

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Number XXXI. A petition of the Students of Christ church, Oxon, for their commons; against the Dean and Chapter.

Number XXXI. A. A demonstration of the state of Eastbridge Hospital in Canterbury; partly drawn up and given in to Archbishop Whitgift by Mr. G. Hayes; and partly extracted by the reverend Mr. Nicholas Battely, deceased, from original papers belonging to that hospital.

Number XXXI. B. Mr. Hayes's case, as to his right to the said hospital; propounded by himself to Archbishop Whitgift.

Number XXXI. C. The modern good estate of the said hospital of Eastbridge, anno 1590.

Number XXXII. Monsieur Castoll, Minister of the French Church, to the Archbishop; concerning the estate of affairs abroad, and of the French and the Spaniard.

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Number XXXIV. Mr. Broughton to the Lord Treasurer; relating injuries pretended to be done to him by the Archbishop, as the reason of his departure beyond sea.

Number XXXV. Reasons for the bill against the Commissaries' Courts every three weeks. Chap. xxii.

Number XXXVI. A note of divers incestuous and unlawful marriages, made by licences, by vagrant Ministers and lawless Peculiars, and pretended Ministers without Orders, &c.

Number XXXVII. Reasons for licences to marry. An answer to a bill in Parliament against them.

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The end of the Table of the Records, being in all CXXIX.

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THE END.

ERRATA.

Vol. ii. p. 91. l. ult. *read* Hercules.
p. 508. l. 18. *dele the parenthesis after* Winchester, *and place it after* Durham.
p. 511. l. 10. *from bottom, read* Eborum.
Vol. iii. p. 319. l. 15. *read* bonis operibus.
p. 337. l. 9. *from bottom, read* by him given.